

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING
IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST:

CHERYL A. BOYER, LPN,
RESPONDENT

FINAL DECISION AND ORDER
LS0101042NUR

Division of Enforcement Case No. 00 NUR 169

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Cheryl A. Boyer
N7507 West Snow Creek Road
Black River Falls WI 54615

Board of Nursing
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Cheryl A. Boyer (D.O.B. 05/04/50) is duly licensed as a practical nurse in the state of Wisconsin (license # 31-29506).
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is N7507 West Snow Creek Road, Black River Falls, WI 54615.
3. At all times relevant to this action, Respondent was working as a practical nurse at Family Heritage Care Center, 1311 Tyler Street, Black River Falls, Wisconsin.
4. On or about June 16, 2000, resident LN precipitated an argument with the respondent by indicating that he did not want Respondent to touch him or be his nurse. LN also insisted that Respondent stand outside his door and give his medications to a nurse's aide, who in turn would give the medications to him, or her would refuse his medications. LN had made similar comments regarding his disdain for LN in the six-month period prior to June 16, 2000. After ignoring this behavior for six months and for a period of time on June 16, 2000, Respondent responded to LN in an inappropriate manner.

5. In resolution of this matter, Respondent consents to the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter, pursuant to sec. 441.07, Stats.
2. The Wisconsin Board of Nursing is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Stats.
3. The conduct described above constitutes a basis for discipline under secs. 441.07(1)(b) and (d) and Wisconsin Administrative Code § N 7.04(4) and (15). Furthermore, the Findings of Fact set forth above in paragraph 4 constitute an agency finding of abuse within the meaning of secs. 48.685 and 50.065, Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the license of Cheryl A. Boyer shall be LIMITED as follows:

1. Within six (6) months from the date of this order, Respondent shall submit documentation of successful completion of at least twelve (12) hours of therapy, continuing education, or other training acceptable to the Board in the areas of anger and stress management. To be acceptable, the course, therapy, or training shall be approved by a member or designated agent of the Board of Nursing. Acceptable documentation shall include certification from the sponsoring organization as well as a statement signed by Respondent verifying her attendance and completion of course and/or therapy requirements.
2. Within six (6) months from the date of this order, Respondent shall submit documentation of successful completion of at least six (6) hours of continuing education or other training acceptable to the Board in the area of patient management. To be acceptable, the course or training shall be pre-approved by a member or designated agent of the Board of Nursing. Acceptable documentation shall include certification from the sponsoring organization as well as a statement signed by Respondent verifying her attendance and completion of course requirements.
3. Respondent shall be responsible for all expenses incurred for training and other reporting as required by this order.
4. Within six (6) months from the date of this order, Respondent shall submit documentation acceptable to the Board of successful return demonstration of a full and working knowledge of patient rights, as set forth in Wisconsin Admin. Code §51.61.
5. Following completion of the continuing education, therapy, or other training referred to in paragraphs 1 and 2 above, Respondent shall submit an evaluation of the training to the Division of Enforcement to assist the Division in developing future disciplinary policies and guidelines.

Department Monitor

6. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving payment of costs and forfeitures, as well as coordinating all requests for approval of education or other petitions. The Department Monitor may be reached as follows:

Department Monitor
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935
FAX (608) 266-2264
TEL. (608) 261-7938

Termination of limitations

7. Upon complete, successful and timely compliance with the terms of this Order, the Board shall restore Respondent's license to full and unrestricted status.

Summary Suspension

8. In the event that Respondent fails to timely comply with the requirements set forth in paragraphs 1, 2 and 5 above, her Wisconsin license to practice as a practical nurse shall be SUSPENDED, without further notice or hearing, until she has complied with the terms of this Order. Violation of any of the terms of this

Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license pursuant to the procedures set forth in Wis. Admin. Code RL Ch. 6. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

9. This Order shall become effective upon the date of its signing.

BOARD OF NURSING

By: Ann Brewer

1-4-01

On behalf of the Board

Date