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

PEGGY LAWANNE DUQUAINE, RN,
RESPONDENT

FINAL DECISION AND ORDER
LS0203015NUR

Division of Enforcement Case No. 00 NUR 297

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

Peggy Lawanne DuQuaine
N70W13409 Brentwood
Menomonee Falls, WI 53051

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, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

In the interest of resolving this matter, Respondent neither admits nor denies the allegations against her and consents to the entry of the following Findings of Fact, Conclusions of Law and Order.

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

FINDINGS OF FACT

1. Peggy Lawanne DuQuaine (D.O.B. 07/16/1953) is duly licensed as a registered nurse in the state of Wisconsin (license #129974). This license was first granted on 07/14/1998.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is N70W13409 Brentwood, Menomonee Falls, WI 53051.
3. At all times relevant to this action, Respondent worked as Assistant Director of Nursing at River Hills West Health Care Center ["River Hills"], 321 Riverside Drive, Pewaukee, Wisconsin. River Hills is a long-term care facility
4. On December 1, 1999 at approximately 6:00 a.m., CD, a licensed practical nurse, checked on the condition of PC, an elderly female resident of River Hills. The LPN charted that she was unable to detect a pedal pulse in PC's left foot. She also noted a small bruise on the top of PC's left foot, that her left foot was ruddy colored and that it was slightly cool.
5. The information contained in paragraph 4 above was included on the facility's 24-hour Change of Condition report form for December 1, 1999.

6. The charting for PC following December 1, 1999 and continuing on through the morning of December 8, 1999 shows no follow-up assessment of PC's foot that includes a documentation of pedal pulse, an examination for capillary refill, or a comparison of PC's left foot with her right.
7. The charting for PC following December 1, 1999 and continuing on through the morning of December 8, 1999 fails to include any documentation of notification of PC's physician of the lack of a pedal pulse in PC's left foot.
8. On December 9, 1999, PC was taken to a vascular surgeon at the request of her family. The vascular surgeon who examined PC on December 9, 1999 found no pulse in PC's left foot and observed that PC's left foot was mottled, "ice cold" and "essentially dead."
9. In resolution of this matter, Respondent consents to the issuance of 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. By the conduct described above, Peggy Lawanne DuQuaine is subject to disciplinary action against her Wisconsin nursing license, pursuant to sec. 441.07(1), Wis. Stats., and Wis. Admin. Code §§N7.03 (1) and N7.04 (4) and (15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Peggy Lawanne DuQuaine RN (license #129974) is REPRIMANDED.

IT IS FURTHER ORDERED that the Wisconsin nursing license of Peggy Lawanne DuQuaine (license #129974) is LIMITED as follows:

1. Respondent shall comply with all statutes and code provisions relating to the practice of nursing.

Education/ training Requirement

2. Within one (1) year from the effective date of this Order, Respondent shall submit proof of conducting at least three (3) presentations of nursing staff in-services acceptable to the Board on subject areas pre-approved by the Board as relevant to the findings of this order. The subject areas may include, but are not limited to charting, legal aspects of nursing, and caring for patients with circulatory problems. To be acceptable, a course shall be pre-approved by a member or designated agent of the Board of Nursing. Course presentations shall be at least two [2] hours in length.

In the alternative, Respondent shall submit within six (6) months from the effective date of this Order, documentation of successful completion of at least twelve (12) hours of continuing nursing education approved by the Board in the subject areas of patient charting and legal aspects of nursing and six (6) hours in caring for patients with circulatory problems, or in other areas approved by the Board. To be acceptable, a course 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 that she attended the course in its entirety.

Department Monitor

3. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving reports and coordinating all requests for approval of education or other petitions. The Department Monitor may be reached as follows: Department Monitor c/o Division of Enforcement, PO Box 8935, Madison, WI 53708-8935. TEL (608) 267-3817 FAX (608) 266-2264

Termination of limited license status

4. Upon Respondent's full, timely and successful completion of the terms of this Order, the Board shall grant a petition by Respondent to restore her license to full and unrestricted status.

Agency Caregiver Finding

5. If Respondent fails to fully and completely comply with all terms and conditions set forth above or if the Department receives a subsequent credible allegation against Respondent of abuse, neglect or misappropriation, the Department Monitor shall without further notice or hearing notify the Wisconsin Department of Health and

Family Services that the findings set forth in this Order shall thereafter constitute an agency finding of neglect for the purposes of secs. 48.685 and 50.065, Wis. Stats. Respondent shall then REFRAIN from any nursing employment in any facility licensed by the Wisconsin Department of Health and Family Services until such time as Respondent successfully completes a rehabilitation review administered by DHFS.

SUMMARY SUSPENSION

6. Violation of any of the terms of this Order may in addition 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.

Effective date of Order

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

BOARD OF NURSING

By: Linda Sanner

3-1-02

On behalf of the Board

Date