

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST:

JANICE M. WEPFER, RN,  
RESPONDENT

FINAL DECISION AND ORDER  
LS0206069NUR

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Division of Enforcement Case No. 01 NUR 255

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

Janice M. Wepfer  
214 Division  
Loyal, WI 54446

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. Janice M. Wepfer (D.O.B. 03-09-1938) is duly licensed as a registered nurse in the state of Wisconsin (license #36081). This license was first granted on 11-16-1959.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 214 Division, Loyal, Wisconsin, 54446.
3. At all times relevant to this action, Respondent was working as a registered nurse at Norwood Health Care Center, 1600 North Chestnut Avenue, Marshfield, Wisconsin.
4. On or about October 5, 2001 at approximately 0100 hours Respondent directed two psychiatric technicians to physically hold JR, a new admission, in a chair until JR was calm. JR had been drinking alcohol and was uncooperative with staff. Staff held JR in the chair for approximately 30 – 45 minutes.
5. There was no order for a physical hold for JR. Respondent subsequently obtained a physician's order for 4 point restraints for JR. She did not obtain authorization for the physical hold and directed staff not to chart the physical hold that preceded administration of the 4 point restraints.

6. 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. The conduct described in paragraph 4, above, violated §§ N7.03 (1) and N 7.04 (1), (4) and (15), Wis. Adm. Code.

**ORDER**

**NOW, THEREFORE, IT IS HEREBY ORDERED** that Janice M. Wepfer, RN is REPRIMANDED.

**IT IS FURTHER ORDERED** that the license of Janice M. Wepfer to practice as a registered nurse in the state of Wisconsin [License # 36081] is LIMITED as follows:

**Education Requirement**

1. Within ninety [90] days from the date of this order, Respondent shall submit acceptable documentation of successful completion of the University of Wisconsin School of Nursing continuing education program entitled "Legal Issues for Nurses in Today's Health Care Environment." Acceptable documentation of completion of this continuing education shall include certification from the sponsoring organization and proof of successful completion of a post-test acceptable to the Board and/or submission of other documentation of course content comprehension acceptable to the Board.
2. Within six (6) months from the effective date of this Order, Respondent shall submit documentation of successful completion of at least four (4) hours of continuing nursing education approved by the Board in the subject area of the use of restraints and at least four (4) hours of continuing nursing education in the area of dealing with aggressive or combative patients 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.
3. 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 sec. 51.61, Wis. Stats.

**Department Monitor**

4. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including 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  
TEL (608) 267-3817  
FAX (608) 266-2264

**Termination of restrictions**

5. Upon Respondent's full and timely completion of the requirements of this Order, the Board shall issue an Order returning Respondent to full and unrestricted license status.

**Agency Caregiver Finding**

6. 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**

**7. 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.**

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

BOARD OF NURSING

By: Linda Sanner	6-6-02
On behalf of the Board	Date