

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :		
PROCEEDINGS AGAINST :		
	:	FINAL DECISION AND ORDER
PATRICIA L. WOLTER, RN,	:	LS0207118NUR
RESPONDENT	:	

Division of Enforcement Case No. 01 NUR 063

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

Patricia L. Wolter
475 Eugene Drive
Lake Geneva WI 53147

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.

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

FINDINGS OF FACT

1. Patricia L. Wolter (D.O.B. 03/21/1950) is duly licensed as a registered nurse in the state of Wisconsin (license #77860). This license was first granted on 10/17/1980.
2. Respondent’s most recent address on file with the Wisconsin Board of Nursing is 475 Eugene Drive, Lake

3. At all times relevant to this action, Respondent worked as the registered nurse supervisor for the night shift at Williams Bay Care Center, 146 Clover Street, Williams Bay, Wisconsin.

4. The department has received allegations concerning Respondent's work performance at Williams Bay. Respondent neither admits nor denies the veracity of these allegations, but for the purposes of settlement of this matter consents to the following findings.

5. At approximately 3:30 a.m. on or about February 9, 2001, resident OP put on her call light to request medication for leg pain. The CNA on duty subsequently informed the on-duty LPN that OP had put the call light on to protest the opening of her door, which had been opened for ventilation. OP's call light remained unanswered until approximately 5:30 am. Respondent did not seek to independently verify the reason for OP's call light. She failed to ensure that this resident was checked at least once every two hours during her shift. Respondent directed on-coming morning staff "not to worry about OP's light."

6. Respondent's personnel history at Williams Bay contains reference to three prior incidents of potential neglect by Respondent. Respondent's current employer has provided documentation including performance reviews of Respondent's work, and her current employer is well satisfied with Respondent's nursing performance.

7. 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, Patricia L. Wolter is subject to disciplinary action against her Wisconsin nursing license, pursuant to sec. 441.07(1), Wis. Stats., and Wis. Admin. Code §N7.04 (4) and (15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Patricia L. Wolter is REPRIMANDED.

IT IS FUTHER ORDERED that the Wisconsin nursing license of (license #77860) is LIMITED as follows:

Practice restrictions

1. Until otherwise ordered by the Board

a. Respondent shall practice nursing only in settings where she works under supervision acceptable to the board. The Board specifically approves Respondent's employment as Wellness Coordinator at Sienna Crest/Sienna Meadows CBRF in Lake Geneva, Wisconsin.

b. Respondent shall refrain from nursing employment as a pool nurse, or as a visiting nurse or other home care practitioner.

Continuing education

2. Within six [6] months 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", or of completion of other training pre-approved by the Board in the area of legal responsibilities of nursing. Acceptable documentation of completion of continuing education shall include: certification from the sponsoring organization, a statement signed by Respondent verifying completion of course requirements, 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.

3. Within six [6] months from the date of this order, Respondent shall submit acceptable documentation of successful completion of at least three [3] additional hours of continuing education or of other training pre-approved by the Board in the areas of nursing ethics and legal responsibilities and at least six [6] hours of continuing education or of other training pre-approved by the Board in the area of pain management. Acceptable documentation of completion of continuing education shall include: certification from the sponsoring organization as well as a statement signed by Respondent verifying her attendance at the course and completion of course requirements.

4. Respondent shall be responsible for all expenses incurred by her in complying with the terms of this Order.

5. 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.

Required reporting

6. For a period of at least six [6] months from the date of this Order, Respondent shall arrange for quarterly reports from her nursing employer(s) reporting the terms and conditions of her employment and evaluating her work performance. These reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing Division of Enforcement.

7. Respondent shall notify the Department Monitor of any change of nursing employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.

Department Monitor

8. 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
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935
TEL (608) 267-3817
FAX (608) 266-2264

Termination of restrictions

9. Upon completion of: six [6] months of complete, successful and continuous compliance with the terms of this Order that includes six [6] months of nursing employment under the terms of this Order; Respondent may petition the Board to revise or eliminate any of the above conditions. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of Wis. Stats. §§227.01(3) and 227.42.

Agency Caregiver Finding

10. 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

11. Violation of any of the other 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.

Effective date of Order

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

By: Linda Sanner

7-11-02

On behalf of the Board

Date