

# 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	:	
	:	FINAL DECISION AND ORDER
JENNIFER L. SCHNEIDER, LPN,	:	LS0208081NUR
RESPONDENT.	:	

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Division of Enforcement  
98 NUR 189

The parties to this proceeding for purposes of sec. 227.53, Stats., are:

Jennifer L. Schneider, LPN  
W1745 Cedar Rd.  
Eau Claire, WI 54701

Wisconsin Board of Nursing  
1400 East Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935

Department of Regulation And Licensing  
Division of Enforcement  
1400 East Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935

The Wisconsin Board of Nursing received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by Jennifer L. Schneider, LPN, personally, and by her attorney, Phillip M. Steans, and by Gilbert C. Lubcke, attorney for the Department of Regulation and Licensing, Division of Enforcement. Based upon the Stipulation of the parties, the Wisconsin Board of Nursing makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Jennifer L. Schneider, LPN, the Respondent herein, W1745 Cedar Road, Eau Claire, Wisconsin 54701,

was born on 4/22/62 and has been licensed to practice as a practical nurse in the state of Wisconsin since 1/7/98, license #34542.

2. Respondent was employed as a licensed practical nurse at the Dove Healthcare facility in Eau Claire, Wisconsin on 9/15/98.

3. V.M., the patient herein, was a resident at the Dove Healthcare facility on 9/15/98.

4. V.M. was born on 8/27/18 and had a history of angina for which she was regularly treated with nitroglycerin.

5. On 9/15/98, Respondent was on duty at the Dove Healthcare facility and had responsibility for providing nursing care for V.M.

6. At approximately 1500 on 9/15/98, a healthcare worker observed that V.M. was experiencing chest pain and reported this condition to Respondent. Respondent went to the patient's room, observed the patient and performed an assessment of her. Respondent recorded in the patient's medical record that the patient had complained of chest pain and documented a blood pressure of 110/64. Respondent did not record any other findings from the assessment in the patient's medical record. At approximately 1515 on 9/15/98, Respondent administered nitroglycerin 0.4 mg. to the patient and documented in the patient's medical record the administration of this drug.

7. At approximately 1520 on 9/15/98, shortly after administering the nitroglycerin to the patient, Respondent returned to assess the patient. She took the patient's vital signs, including the patient's blood pressure, and concluded that the patient's blood pressure had dropped slightly. Respondent did not record in the patient's medical record any of the patient's vital signs or her conclusion that the patient's blood pressure had dropped slightly. Respondent recorded in the patient's medical record, "Eff Better" and "Resident stated felt better". Respondent did not record any other findings from the assessment in the patient's medical record.

8. At approximately 1615 on 9/15/98, Respondent and another healthcare worker were walking the patient in the hallway when the patient complained of chest pain. Respondent and the healthcare worker walked the patient into an empty room and had her lie on the bed. As part of her assessment of the patient, Respondent took the patient's vital signs including the patient's blood pressure. Respondent also determined from her assessment that the patient was afebrile and was not diaphoretic. Respondent recorded in the patient's medical record that the patient had a blood pressure of 104/62 but she did not record any other findings from her assessment. Respondent administered nitroglycerin 0.4 mg. to the patient at 1630 on 9/15/98 and recorded the administration of this drug in the patient's medical records.

9. At approximately 1635 on 9/15/98, Respondent returned to the room where the patient was located to assess the patient. Respondent did not record in the patient's medical record the patient's vital signs or any other findings from her assessment. Respondent

recorded, "eff Better" and "Resident states some relief but would like to stay in bed to rest. Stated didn't feel up to eating so would stay in bed to rest."

10. Respondent left the Dove Healthcare facility for supper at approximately 1650 on 9/15/98. Prior to leaving for supper, Respondent measured the patient's oxygen saturation level and obtained a value of 92%. Respondent did not record this event or the result in the patient's medical record.

11. At some time between 1815 and 1845 on 9/15/98 while Respondent was passing medications, a

healthcare worker informed Respondent that the patient was sitting on the edge of her bed trying to vomit and that the patient was sweaty and complaining of chest pain. Respondent locked the medication cart and went to the patient's room. Respondent observed that the patient was experiencing chest pain, was diaphoretic and was having difficulty breathing. Respondent did not record any of these observations in the patient's medical record. Respondent took the patient's vital signs and recorded them in the patient's medical record as "97.1, 72, 18, and 90/56". Respondent also recorded in the patient's medical record that the patient had begun to vomit at 1845.

12. Respondent was of the opinion that the patient was experiencing a myocardial infarction. Respondent sought assistance from the registered nurse on duty, the patient's physician and other healthcare workers at the facility. The patient expired at approximately 1905 on 9/15/98.

13. The standard of care ordinarily exercised by a competent licensee under the circumstances set forth in paragraphs 2 through 12 requires that the findings of a competently performed nursing assessment, both positive and negative, be recorded in the patient's medical record within a reasonable period of time after the assessment is performed. A competently performed nursing assessment includes a determination of the patient's vital signs, an assessment of the condition and appearance of the patient's skin, an evaluation of the location, type and severity of the patient's chest pain, observations relating to the presence or absence of shortness of breath or labored breathing and observations regarding the presence or absence of nausea and vomiting.

14. Respondent's conduct substantially departed from the standard of care ordinarily exercised by a competent licensee in the following respects:

a. On 9/15/98 at approximately 1500, 1520, 1615, 1635 and 1845, when Respondent performed nursing assessments of the patient, Respondent failed to record in the patient's medical record all of the findings necessary to a competently performed nursing assessment.

b. On 9/15/98 at approximately 1650, Respondent failed to record in the patient's medical record the oxygen saturation level she obtained from the patient.

#### CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction in this proceeding pursuant to sec. 441.07, Stats.

2. The Wisconsin Board of Nursing has the authority to resolve this disciplinary proceeding by stipulation without an evidentiary hearing pursuant to sec. 227.44(5), Stats.

3. Jennifer L. Schneider's conduct as set forth in the Findings of Fact was conduct that violated sec. 441.07(1)(c), Stats. and Wis. Admin. Code sec. N 7.03(1)(c) in that on 9/15/98 she failed to record in the patient's medical record the condition, signs and symptoms of the resident.

4. The Wisconsin Board of Nursing has the authority pursuant to sec. 440.22, Stats., to assess the costs of this proceeding against Jennifer L. Schneider, LPN.

#### ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that Jennifer L. Schneider is REPRIMANDED.

IT IS FURTHER ORDERED that Jennifer L. Schneider's license to practice as a practical nurse in the state of Wisconsin is limited under the following terms and conditions:

1. Jennifer L. Schneider will, within nine (9) months of the date of this Final Decision And Order, take and complete a total of 10 credit-hours of instruction on the nursing assessment of geriatric patients and the charting and documentation of the results of the assessments. Each course attended in satisfaction of this Order must be pre-approved by the Wisconsin Board of Nursing or its designee and must be attended in its entirety. Jennifer L. Schneider will be responsible for locating courses satisfactory to the Wisconsin Board of Nursing or its designee and for obtaining the required approval of the courses from the Wisconsin Board of Nursing or its designee.

2. Jennifer L. Schneider will be responsible for all costs associated with attending these courses.

3. Jennifer L. Schneider will file with the Wisconsin Board of Nursing certifications from the sponsoring organizations of her attendance at the required courses and her affidavit stating under oath that she has attended each course in its entirety. The certifications of attendance from the sponsoring organizations and Jennifer L. Schneider's affidavit will be filed with the Wisconsin Board of Nursing within 60 days of the date on which the courses are concluded.

4. All certifications, affidavits or other documents required to be filed with the Wisconsin Board of Nursing and all requests for approval of courses will be filed with:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
1400 East Washington Ave.  
Madison, WI 53708-8935  
FAX (608) 266-2264

All certifications, affidavits or other documents required to be filed with the Wisconsin Board of Nursing will be deemed filed with the Wisconsin Board of Nursing upon receipt by the Department Monitor.

IT IS FURTHER ORDERED that Jennifer L. Schneider will pay the costs of this proceeding in the amount of \$1,000.00 to the Department of Regulation and Licensing, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708-8935, within 90 days of the date of this Final Decision And Order.

IT IS FURTHER ORDERED that Jennifer L. Schneider will appear before the Wisconsin Board of Nursing, as the Wisconsin Board of Nursing directs, to demonstrate to the Wisconsin Board of Nursing full compliance with all of the terms of this Final Decision and Order. If Jennifer L. Schneider has fully complied with the terms of this Final Decision and Order and Jennifer L. Schneider has satisfied all other requirements for licensure, the Wisconsin Board of Nursing will remove all limitations from her license.

IT IS FURTHER ORDERED that this Final Decision and Order is effective on the date upon which this Final Decision and Order is signed by the Wisconsin Board of Nursing.

IT IS FURTHER ORDERED that pursuant to sec. 227.51(3), Stats., if the Wisconsin Board of Nursing finds that Jennifer L. Schneider has violated the terms of this Final Decision and Order and the public health, safety or welfare imperatively requires emergency action, the Wisconsin Board of Nursing may order that the license of Jennifer L. Schneider to practice as a practical nurse in the state of Wisconsin be summarily suspended pending investigation of the alleged violation.

The rights of a party aggrieved by this Final Decision and Order to petition the Wisconsin Board of Nursing for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin, this 5<sup>th</sup> day of December, 2002.

WISCONSIN BOARD OF NURSING

Linda Sanner

Member, Wisconsin Board of Nursing