

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
CHRISTINE VAN NESS-WITTROCK, RN,		:	LS0212052NUR
RESPONDENT		:	

Division of Enforcement Case No. 01 NUR 191

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

Christine VanNess-Wittrock
602 Madison Avenue
Cascade WI 53011

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. Christine VanNess-Wittrock, RN (D.O.B. 07/01/1944) is duly licensed as a registered nurse in the state of

Wisconsin (license #78582). This license was first granted on 04/02/1981.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 602 Madison Avenue, Cascade, WI 53011.

3. At all times relevant to this action, Respondent was working as a registered nurse providing in-home hospice care to MS, an elderly female cancer patient with metastases to the brain.

4. At approximately 12:45 p.m. on March 27, 2001, the family of MS called Respondent and requested an assessment of the patient, due to their reported observations of the patient, including increased anxiety, hallucinations, and agitation.

5. Respondent subsequently called the physician for MS and obtained a medication order for MS for agitation. Respondent documented that the pharmacy reported it was out of the medication, and that the medication would not be available until the following evening. Respondent called the family with this information, and the family again requested a nurse visit for assessment of MS. Respondent informed the family that someone would come to the home. Respondent did not attempt any alternative source(s) for the ordered medications. Respondent telephoned the family again at approximately 7:00 p.m. to assure them that a nurse would visit.

6. Respondent did not perform a nursing visit to MS on March 27, 2001, nor did she document any notification to other nursing personnel of the need for a visit on that day.

7. At 7:00 a.m. on March 28, 2001, Respondent received report on MS from a nurse who had seen the patient the previous night. Respondent telephoned the family at 9:00 a.m. on March 28 and was told that the patient's restlessness was on-going. Respondent did not make a visit to assess the patient on that date until 3:30 p.m.

8. The family of MS in addition submitted allegations that Respondent failed to utilize sanitary procedures (hand washing and gloving) in her care of MS on March 28, 2001. Respondent contests these allegations.

9. In resolution of this matter, Respondent consents to 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 above, violated sec. 441.07(1)(b), Wis. Stats. and § N 7.03(1) Wis. Adm. Code

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Wisconsin nursing license of Christine VanNess-Wittrock (license #78582) is LIMITED as follows:

Treatment

1. Respondent shall maintain full compliance with her treatment for depression.

Continuing education

2. Within six [6] months from the date of this order, Respondent shall submit acceptable documentation of successful completion of at least four [4] hours of continuing education approved by the Board in the area of legal responsibilities of nursing. In fulfillment of this requirement the Board accepts Respondent's completion of "2002 Wisconsin Nursing Law," which Respondent attended on May 21, 20002 in Fond du Lac, Wisconsin.
3. Within six [6] months from the date of this order, Respondent shall submit acceptable documentation of successful completion of at least six [6] hours of continuing education or of other training pre-approved by the Board in the areas universal precautions and infection control. 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 and completion of course requirements.
4. Upon completion of the continuing education required by this Order, Respondent shall submit an evaluation of the training to the Division of Enforcement to assist the Division in developing future course-work requirements.
5. Respondent shall be responsible for all expenses incurred by her in complying with the terms of this Order.

Practice restrictions

6. Until otherwise ordered by the Board, Respondent shall refrain from nursing employment as a pool nurse, visiting nurse or home care provider.

Required reporting

7. For a period of at least one [1] year 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.
8. Respondent shall notify the Department Monitor of any change of employment during the time in which this 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

9. 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

Petition for modification of restrictions

10. Upon completion of: one [1] year of complete, successful and continuous compliance with the terms of this Order that includes one [1] year 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 lie within the discretion of the Board.

SUMMARY SUSPENSION

11. 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.

Effective date of Order

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

BOARD OF NURSING

By: Linda Sanner	12-05-02
On behalf of the Board	Date