

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF _____ :
DISCIPLINARY PROCEEDINGS AGAINST _____ :

: FINAL DECISION AND ORDER
PATRICIA PAGE HEREFORD, LPN, _____ : LS02111301NUR
RESPONDENT _____ :

Division of Enforcement Case File No's. 00NUR140/01NUR289

The parties to this action for the purposes of § 227.53, Wis. Stats., are:

Patricia Page Hereford
PO Box 8234
Janesville, WI 53547

Wisconsin 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. Patricia Page Hereford (D.O.B. 02/15/1942) is duly licensed as a practical nurse in the state of Wisconsin (license #15995). This license was first granted on 02/28/1975.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is PO Box 8234, Janesville, WI 53547.

3. At all times relevant to this action Respondent was working as a licensed practical nurse for Staffing Edge, LLC, 102B Village Walk, Johnson Creek, Wisconsin. Through Staffing Edge, Respondent was placed to work as a pool nurse at a number of Wisconsin health care facilities.

4. The Division of Enforcement has received multiple allegations of unprofessional conduct relating to Respondent's nursing practice between October 1999 and November 2001. The alleged unprofessional conduct include incidents of rudeness to patients, medication errors, documentation errors, failures to report a change in condition and failure to provide treatments in a timely manner.

5. Respondent contests the allegations against her, but in resolution of this matter consents to issuance by the Board 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 above violated sec. 441.07(1), Wis. Stats. and §§ N 7.03(1) and N 7.04 (4) and (15), Wis. Admin. Code. Furthermore, the Findings of Fact set forth in above constitute an agency finding within the meaning of secs. 48.685 and 50.065, Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that

1. The Wisconsin nursing license of Patricia Page Hereford (license #15995) is hereby SUSPENDED for AN INDEFINITE PERIOD OF TIME.

IT IS FURTHER ORDERED that

2. The SUSPENSION of Respondent's license shall be STAYED, conditioned upon Respondent's full and complete compliance with the conditions and limitations set forth below.

Practice Limitations

3. Until such time as Respondent successfully completes a rehabilitation review administered by the Wisconsin Department of Health and Family Services, Respondent shall REFRAIN from any nursing employment in any Wisconsin DHFS-licensed facility.

4. Until otherwise ordered by the Board

a. Respondent shall practice only in settings where she works under direct supervision by another nurse or other licensed health care professional acceptable to the Board. Respondent shall refrain from nursing employment as a charge nurse.

b. Respondent shall refrain from nursing employment as a pool nurse; and

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

Continuing education

5. Within two [2] years from the issuance of a stay pursuant to this Order, Respondent shall complete at least ten (10) hours of continuing nursing education pre-approved by the Board in each of the following subject areas (or in other areas approved by the Board):

a. nursing documentation;

b. nursing assessment;

c. legal aspects and ethics; and

d. medication administration and charting.

6. Acceptable documentation of completion of continuing education shall include certification from the sponsoring organization and a statement signed by Respondent verifying her attendance at and completion of course requirements.

7. Respondent shall be responsible for all expenses incurred in conjunction with this Order.

Reporting Required

8. Respondent shall arrange for her nursing employer to provide formal written reports to the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement, PO Box 8935, Madison, Wisconsin 53708-8935 on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance.

9. Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

Assessment and Treatment [If applicable]

10. The Board reserves the right in the exercise of its discretion to require Respondent to obtain an AODA assessment from a health care provider acceptable to the Board attesting to Respondent's ability to safely and competently practice as a practical nurse.

If the assessment reveals a need for treatment:

a. Respondent shall initiate and maintain successful participation in all components of a drug and alcohol treatment program at a treatment facility acceptable to the Board. As a part of treatment, Respondent must attend therapy on a schedule as recommended by her supervising health care provider; attendance, however, shall be required at least four (4) times per month. In addition, Respondent shall attend Alcoholics or Narcotics Anonymous or another self-help group acceptable to the Board at least one (1) time per week.

b. Respondent shall remain free of prescription drugs and controlled substances not prescribed for valid medical purposes. The Board of Nursing reserves the right to require drug screens as a continuing condition of licensure sufficient to monitor Respondent for the presence in her blood, hair or urine of alcohol or controlled substances. The board may establish a minimum schedule of testing for these substances. Testing shall be performed and results reported in a manner consistent with current monitoring protocols of the Department. Respondent shall refrain from the consumption of over-the-counter medications or other substances which may mask consumption of controlled substances or create false positive screening results, or which may interfere with Respondent's treatment and rehabilitation.

c. Respondent shall provide and keep on file with all applicable treatment facilities and personnel, laboratories, and collections sites current releases which comply with state and federal laws authorizing release of all of Respondent's urine, blood and hair specimen screen results and her medical and treatment records and reports. In addition, these releases shall (if applicable) permit her treating physicians and therapists to disclose and discuss the progress of her treatment and rehabilitation with the Board of Nursing or any member thereof, or with any employee of the Department of Regulation and Licensing acting under the authority of the Board of Nursing. Copies of these releases shall be filed simultaneously with the Department Monitor.

d. If the Board of Nursing determines that a supervising health care provider, treatment facility, monitoring facility, laboratory or collection site has failed to satisfy the current monitoring protocols of the Department, the Board may, at its sole discretion, direct that Respondent continue her treatment and rehabilitation program under the direction of another supervising health care provider, treatment facility, laboratory or collection site which will conform to the terms and conditions of the current monitoring protocols of the Department.

Department Monitor

11. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all reports and petitions. The Department Monitor may be reached as follows:

Department Monitor

Department of Regulation Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 267-3817

Petition for Modification or Termination of Limitations

12. Upon completion of: two [2] years of complete, successful and continuous compliance with the terms of this Order that includes two [2] years 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.

Summary Suspension

13. 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

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

BOARD OF NURSING

By: Linda M. Sanner

11-13-02

On behalf of the Board

Date