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IN THE MATTER OF THE DISCIPLINARY :

PROCEEDINGS AGAINST :

: FINAL DECISION AND ORDER

DEBORAH A. FEDERER, RN, : LS0212051NUR

RESPONDENT :

:

Division of Enforcement Case No. 00 NUR 073

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

Deborah A. Federer
1420 Annie Court
Sheboygan WI 53083

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. Deborah A. Federer (D.O.B 01/19/1958) is duly licensed as a registered nurse in the state of Wisconsin (license #91127). This license was first granted on 08/31/1985.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 1420 Annie Court, Sheboygan, WI 53083.

3. At all times relevant to this action, Respondent was employed by the Wisconsin Department of Corrections and worked as a registered nurse at Taycheedah Correctional Institution ("TCI"), 751 County Road K, Fond du Lac, Wisconsin.

4. On or about June 10, 2000, Respondent instructed the security officer on duty on the segregation unit to remove the prescribed asthma inhaler (Albuterol) from inmate A, due to inmate A's admitted abuse of this medication. Respondent performed this intervention to make the medication officer-controlled.

5. Respondent noted "Albuterol inhaler to be controlled while in seg. ..." on the medication sheet for inmate A's Albuterol , but failed to provide written instructions to security staff on the use of the inhaler. However, Respondent maintains that at the time she removed the inhaler from inmate A, she provided verbal instructions for the use of this medication for inmate A to the security officer on duty; and written instructions were on the medication record.

6. On June 10, 2000, Respondent documented a physician's order to make inmate A's Albuterol inhaler officer controlled. Respondent did so without contacting the on-call physician. Respondent did obtain an order to this effect from the physician on June 15, 2000.

7. On or about June 13, 2000, an institution psychologist requested Respondent to assess inmate B for reported chest pains.

8. Respondent assessed inmate B and based upon B's own report determined that inmate B was undergoing an anxiety attack. Respondent made her assessment without benefit of an EKG or a cardiac assessment.

9. 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, Deborah A. Federer is subject to disciplinary action against her Wisconsin nursing license, pursuant to sec. 441.07(1), Wis. Stats., and Wis. Admin. Code §§N7.03 (1) and N7.04 (4) and (15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Deborah A. Federer RN (license #91127) is REPRIMANDED.

IT IS FURTHER ORDERED that:

1. Respondent shall comply with all statutes and code provisions relating to the practice of nursing.

Education Requirements

2. Within nine [9] months from the date of this order, Respondent shall submit acceptable documentation of successful completion of at least eight [8] hours of continuing education pre-approved by the Board in the areas of nursing assessments and nursing documentation. 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.

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

Required reporting

4. For a period of two [2] years from the date of this Order, Respondent shall arrange for annual reports from her nursing employer(s) reporting the terms and conditions of her employment and evaluating her work performance.

a. Respondent has submitted to the Board her annual job performance evaluation for calendar year 2001 (dated 1/11/2002) for her current employment setting [Exhibit A];

b. Respondent shall submit her next annual job performance evaluation for calendar year 2002 no later than March 15, 2003;

c. In conjunction with a petition for termination of restrictions Respondent shall submit a statement from her nursing employer(s) in a format acceptable to the board assessing her job performance following January 1, 2003.

d. Respondent shall make arrangements acceptable to the Board with any current nursing employer(s) to assure that her employer shall IMMEDIATELY notify the Department Monitor of any disciplinary action initiated against Respondent or of any receipt of an allegation of abuse or neglect on the part of Respondent.

5. All reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing Division of Enforcement.

6. Respondent shall notify the Department Monitor of any change of 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

7. 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
C/o Division of Enforcement
PO Box 8935
Madison, WI 53708-8935
TEL (608) 267-3817
FAX (608) 266-2264.

Petition for Termination of restrictions

8. 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

9. 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

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

BOARD OF NURSING

On behalf of the Board

Date