

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	LS0407141NUR
SANDRA KAY SECK, R.N.,	:	
RESPONDENT.	:	

---

FINAL DECISION AND ORDER

---

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

Sandra Kay Seck, R.N.  
1237 Carlisle Street  
Racine, WI 53404

Wisconsin Board of Nursing  
P.O. Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
P.O. 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 of Nursing. 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. Sandra Kay Seck, R.N., Respondent, date of birth April 15, 1967, is licensed by the Wisconsin Board of Nursing as a registered nurse in the state of Wisconsin pursuant to license number 131603, which was first granted March 3, 1999.
2. Respondent's last address reported to the Department of Regulation and Licensing is 1237 Carlisle Street, Racine, WI 53404.
3. During the events of this matter, Respondent was employed as a registered nurse by Intelistaf Healthcare, a temporary staffing agency in Wauwatosa, Wisconsin. From March 10, 2001 until May 16, 2001, Respondent worked at Lincoln Lutheran Care Center (LLCC), a 305 bed nursing home located in Racine, Wisconsin. On May 15, Respondent worked the second shift on a unit at LLCC.
4. LLCC's medication count policy followed standard nursing practice which required an accounting of all controlled substances at the time the nursing shifts changed. The outgoing and incoming nurses were to conduct a count of controlled substances in a manner which allowed each nurse to observe the count. The purpose of the policy was to identify the shift during which any discrepancy in the count occurred and the person who was responsible for the controlled substances at the time of the occurrence. Any discrepancies were to be reported to the nursing supervisor and director of nursing immediately. If the outgoing nurse failed to do a count of controlled substances with the incoming nurse, the outgoing nurse was held responsible for any drug discrepancies. Any nurse failing to complete the count of controlled substances was required to take a drug test immediately.

5. Respondent and the first shift nurse she relieved completed a count of controlled substances when Respondent began her shift at 2:00 p.m. on May 15. All controlled substances were accounted for at that time.

6. During her shift, only Respondent had the keys for the med cart and the narcotic box in which all controlled substances were located.

7. At the end of her shift at approximately 10:45 p.m., Respondent and the night nurse who replaced her did not count the controlled substances together.

a. Respondent, in a letter she faxed to Intelistaf human resources on May 21, 2001, contends the night nurse counted the controlled substances alone and told Respondent the count was correct and that Respondent accepted that statement and left.

b. Records made by LLCC the morning of May 16, 2001 indicate the night nurse told her shift supervisor that Respondent had left without counting the controlled substances with the night nurse; the night nurse did the count herself and found that a card of 30 oxycodone, a schedule 2 controlled substance, was missing and the night nurse reported the discrepancy to the shift supervisor.

8. The following day, May 16, 2001, Respondent was required to provide a urine sample for a drug screen. Respondent willingly did so and the results of the screen were negative. There is no evidence that Respondent diverted the oxycodone and Respondent has no known history of drug or alcohol abuse or dependency.

9. As a result of Respondent's failure to follow LLCC's policies regarding controlled substances, it could not be determined what happened to the missing drugs.

10. Neither the Board nor the Division of Enforcement has ever received any other complaint regarding Respondent's practice as a nurse.

### CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter pursuant to § 441.07, Stats. and authority to enter into this stipulated resolution pursuant to § 227.44(5), Stats.

2. Respondent, by engaging in the conduct set out above, has committed negligence as defined by Wis. Adm. Code N 7.03(1) and is subject to discipline pursuant to § 441.07(1)(c), Stats.

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Sandra Kay Seck, R.N., is hereby REPRIMANDED for the above conduct.

2. Respondent shall, within 120 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$500.00 pursuant to § 440.22(2), Stats.

3. Payment shall be mailed or delivered to:

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

Dated at Madison, Wisconsin this 16<sup>th</sup> day of September, 2004.

Jacqueline A. Johnsrud, R.N.

Chairperson

Board of Nursing