

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**
:
ANN M. ERICKSON, RN : LS0412093NUR
RESPONDENT. :

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

Ann M. Erickson
W297 N3016 Oakwood Grove Rd.
Pewaukee, WI 53072

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. 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. Ann Marie Erickson (D.O.B. 2/25/55) is licensed in the state of Wisconsin as a registered nurse (license # 102258). This license was first granted on 8/25/89.
2. On 6/30/02 and 7/02/02, Respondent was a home hospice care nurse for Covenant Hospice and Palliative Care. On these days, the patient or family members reported that Respondent removed oxycodone products (all of which are Schedule II controlled substances) from the patient’s room and took them into the bathroom, noting that they were no longer ordered for the patient. The patient or family members heard the sound of a flushing toilet, but did not see what occurred in the bathroom. Respondent’s chart notes for each of the patient visits did not include any documentation about this alleged disposing of the medications.
3. Upon learning of this on 7/5/02, Respondent’s employer required Respondent to submit a urine sample, which was positive for oxycodone.
4. Respondent states that on the morning of 7/5/02, she self-administered, without a prescription order, a Schedule II oxycodone product (originally from the supply of a sibling who, she states, had received the medication for post-operative pain; Respondent states that she picked up two of his pills from the floor some eight months before, and which she had kept since that time), which she consumed because she was experiencing toothache pain; Respondent further states that she had not, and has not, seen a dentist for this particular toothache.
5. Respondent has, at Board request, obtained an outpatient assessment which concluded that she is not dependent upon any mood-altering substance, and did not recommend any treatment or educational program. She is presently practicing as an oncology nurse and does not have access to controlled substances at her workplace.

CONCLUSIONS OF LAW

By the conduct described above, Respondent is subject to disciplinary action against her license to practice as a registered nurse in the state of Wisconsin, pursuant to Wis. Stats. §441.07(1)(b) and (d), and Wis. Adm. Code § N 7.04(2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Ann M. Erickson, RN, is REPRIMANDED for her unprofessional conduct in this matter.
2. The license of Respondent to practice as a professional nurse in the state of Wisconsin is LIMITED as follows:
 - a. Respondent shall certify to the Board the successful completion of an approved course of training in nursing ethics, within 6 months of the date of this order. Within 2 months of the date of this Order, Respondent shall submit to the Board designee an outline of the required training for approval, which shall contain the name of the institution providing the instruction, the name of the instructor, and the course content. The course shall be at least 4 hours in length.

Failure by Respondent to fully and timely comply with the training requirements of this Order shall result in the suspension of Respondent's license to practice as a nurse by staff and without further notice or hearing, until such time as full compliance with the provisions of this Order has been attained.
 - b. Beginning immediately and extending for a period of one year following the completion of the course, 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, P.O. Box 8935, Madison, Wisconsin 53708-8935 on a quarterly basis, as directed by the Department Monitor. The reports shall assess Respondent's work performance.
 - c. Respondent shall provide her nursing employers with a copy of this Order before engaging in any nursing employment.
3. Respondent shall, upon demand of the Department or any of its duly authorized employees, forthwith furnish a sample of her urine for testing.
4. Respondent shall pay the COSTS of investigating and prosecuting this matter, in the amount of \$900, within 30 days of this Order. This provision of this Order shall not constitute a Limitation upon the license of Respondent.
5. Pursuant to §227.51(3), Wis. Stats., if the Board of Nursing determines that there is probable cause to believe that Respondent has violated the terms of this Final Decision and Order of the Board of Nursing, the Board may order that the license of Respondent to practice nursing in the State of Wisconsin be summarily suspended pending investigation of the alleged violation.

WISCONSIN BOARD OF NURSING

Jacqueline Johnsrud
A Member of the Board

12-9-2004
Date