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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
LINDA L. FORCEY, R.N.,	:	LS0509084NUR
RESPONDENT.	:	

[Division of Enforcement Case # 02 NUR 011]

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

Linda L. Forcey, R.N.
1450 Baytree Lane
Neenah, WI 54956

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Board of Nursing
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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. Linda L. Forcey, R.N., Respondent, date of birth March 29, 1951, is licensed by the Wisconsin Board of Nursing as a registered nurse in the state of Wisconsin pursuant to license number 109259, which was first granted March 20, 1992.

2. From May 25, 1972 to April 30, 1993, Respondent was licensed by the Board as a practical nurse. She allowed that license to lapse after becoming licensed as a registered nurse.

3. Respondent's last address reported to the Department of Regulation and Licensing is 1450 Baytree Lane, Neenah, WI 54956.

4. Respondent has not worked as a professional or registered nurse since taking a medical leave from her employment in December 2003.

5. Respondent was employed by the Neenah Public Health Department (NPHD) as a public health nurse from September 22, 1992 until October 1, 2001.

COUNT I

6. Respondent was assigned to provide nursing services to Patient A and her baby when NPHD received a "newborn referral" from a hospital on May 29, 2001, which indicated Patient A had given birth to a baby girl the previous

week.

- a. On June 5, 2001, Respondent mailed a letter and information to Patient A which invited her to contact Respondent with any questions or concerns.
- b. On July 18, 2001, after several attempts to contact Patient A, Respondent spoke with her and learned that Patient A had moved to a location in Winnebago County outside NPHD's service area. She confirmed that Patient A would like to be contacted by a Winnebago County public health nurse. Respondent wrote a note of that contact and dated it July 18, 2001.
- c. On July 18, 2001, Respondent phoned a referral of Patient A and her child to the Winnebago County Health Department and Patient A received services from that health department.
- d. A month following the telephone referral, Respondent completed a written Nursing Referral Form, which is on blue paper, for the referral of Patient A. The form was addressed to Winnebago County Health Department, had a date of July 18, 2001 and noted "(Written referral F.U. to telephone referral.)"
- e. Respondent made a copy of the completed referral form and placed it in Patient A's chart. Respondent then shredded the original referral form in the office shredder and never sent a written referral to Winnebago County Health Department.
- f. Respondent's conduct created the false impression to anyone reviewing Patient A's chart that she had made a written referral to Winnebago County Health Department.

COUNT II

7. Respondent was assigned to provide public health nursing services to an elementary school in Neenah until October 1, 2001.

- a. The school secretary was allowed to dispense medications to a student when the medications were brought to the school by the child's family and the following required documentation had been appropriately completed and provided to the school:

Parent/Guardian Medication Consent Form signed by a parent granting permission for the specific medication to be given.

Physician Order for Medication Administration (prescription medications only) signed by the physician with the medication, route of administration, dose and frequency noted.

- b. It was the responsibility of Respondent as the public health nurse to sign off on the student's medication card that the appropriately completed documentation was on file with the school. Only after this was done by the public health nurse could the school secretary dispense the medication.
- c. During the school year which began in the fall of 2001, Respondent signed off on the medication cards of several children who did not have the appropriate documentation. In some cases, parental signatures were missing; in other cases, the required physician signatures were missing. As a result of Respondent's conduct, the secretary dispensed the medications to the students without the school having the authority required to do so. There is no evidence any student was harmed as a result of Respondent's conduct.

ALL COUNTS

8. The Board previously closed an investigation of Respondent without disciplinary action; Division of Enforcement case 99NUR271. Allegations in that case included that Respondent was deficient in her record keeping. While the investigation was pending and before the events set out in Counts I and II above, Respondent took and completed the following training and education:

- a. Neenah Department of Public Health: Nine inservice training sessions on case organization and documentation from November 1999 to February 2000.
- b. Independent study of ethical issues with Dr. Mary Ellen Wurzbach, R.N., at UW-Oshkosh, completed before April 5, 2000.
- c. Review course in documentation by Ardythe Korpela, R.N., at Fox Valley Technical College, completed before April 17, 2000.

CONCLUSIONS OF LAW

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

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

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the attached Stipulation is accepted.

IT IS FURTHER ORDERED that Respondent, Linda L. Forcey, R.N., is hereby REPRIMANDED for the above conduct effective the date of this Order.

IT IS FURTHER ORDERED that Respondent shall not renew any credential issued by this Board until Respondent has paid the costs of this proceeding in the amount of \$2,100.00 to the Department of Regulation and Licensing. Payment shall be sent to:

Department Monitor
Wisconsin Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935
Fax: (608) 266-2264
Telephone: (608) 267-3817
department.monitor@drl.state.wi.us

Wisconsin Board of Nursing

By: Jacqueline Johnsrud, RN
A Member of the Board

September 8, 2005
Date