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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
EDITA D. TUBONGBANUA, R.N.,	:	LS0511106NUR
RESPONDENT.	:	

02 NUR 129

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

Edita D. Tubongbanua, R.N.
6556 N. 87th Street
Milwaukee, WI 53224

Wisconsin Board of Nursing
1400 E. Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935

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

PROCEDURAL HISTORY

The parties in this matter, Edita D. Tubongbanua, R.N., Respondent, Robert J. Heath, her attorney, and James E. Polewski, attorney for the Department of Regulation and Licensing, agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin 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. Edita D. Tubongbanua, R.N., 6556 N. 87th Street, Milwaukee, Wisconsin, 53224 (D.O.B. April 5, 1956) is duly licensed in the state of Wisconsin as a Registered Nurse (license # 118267). This license was first granted on October 21, 1994.
2. An investigation, entitled 02 NUR 129 is pending before the Wisconsin Board of Nursing.
3. During the time of this incident Respondent was the Nursing Supervisor.
4. On April 29, 2002 at approximately 4:30 p.m. LPN LH administered 14 units of Novolin 70/30 insulin to nursing home Resident JP whose blood sugar level was 74.
5. LPN LH did not normally work the P.M. shift and had not taken care of nursing home Resident JP before. During report, LPN LH was informed that Resident JP was an insulin dependent diabetic, was a good eater, and had a strong appetite.
6. At approximately 9:00 p.m. LPN LH tested Resident JP's blood sugar level, which was 83. This was a nine point increase in four and a half hours. This low blood glucose reading didn't alarm LPN LH because Resident JP was alert and orientated.
7. At approximately 11:00 p.m., LPN LH found Resident JP unconscious and not responding to stimuli. No other nurses were around to assist her, so LPN LH left Resident JP to get a glucometer to check Resident JP's blood sugar level. In the hall, LPN LH met the Respondent and a medication aide. LPN LH directed the medication aide to check Resident JP's blood sugar level while LPN LH reported Resident JP's condition to Respondent.

8. LPN LH informed Respondent about resident JP's change in condition and unresponsiveness to stimuli. LPN LH then left because she believed that Respondent would resolve the problem and it was the end of her shift.

9. Respondent assessed Resident JP to be unconscious, not responding to stimuli, and with a critically low blood sugar level of 30.

10. The facility's protocol for an unconscious patient with a critically low blood sugar level is to immediately call 911 and then contact the resident's physician.

11. From approximately 11:15 p.m. until 12:15 a.m., Respondent attempted to give Resident JP sugar and orange juice. Resident JP's blood sugar level did not improve.

12. Attempting to administer liquids to an unresponsive patient by mouth places the patient at risk of aspirating the liquids into the lungs, and consequent pneumonia.

13. Respondent contacted Resident JP's physician at 12:15 a.m. and he ordered the administration of emergency glucagon, which was administered at 12:30 a.m. At 12:45 a.m. Respondent received a physician's order to transfer Resident JP to St. Joseph's Hospital.

14. On April 30, 2002 at approximately 1:10 a.m. Resident JP was taken to St. Joseph's Hospital with a chief complaint of hypoglycemia.

CONCLUSIONS OF LAW

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

2. Respondent's conduct of continuing to give fluids to a resident who was unresponsive, placing the resident at risk for aspiration constituted a violation of Wis. Adm. Code §N 7.03(1)(b) and subjects Respondent to discipline pursuant to Wis. Adm. Code §441.07(1)(b).

3. Respondent's conduct of failing to follow the nursing home's protocol for treating patients with dangerously low blood sugar levels constituted a violation of Wis. Adm. Code §N 7.03(1)(b) and subjects Respondent to discipline pursuant to Wis. Adm. Code §441.07(1)(b).

4. Respondent's conduct of continuing with a treatment approach that was not working, allowing the dangerously low blood sugar level to continue constituted a violation of Wis. Adm. Code §N 7.03(1)(b) and subjects Respondent to discipline pursuant to Wis. Adm. Code §441.07(1)(b).

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED, that Edita D. Tubonganua, R.N., is REPRIMANDED.

IT IS FURTHER ORDERED that Edita D. Tubonganua, R.N., shall, within six months from the date of this order, participate and satisfactorily complete educational courses in two areas. 1. A minimum of six (6) hours of continuing education in the treatment of diabetes. 2. A minimum of six (6) hours of continuing education in emergency care of geriatric patients.

1. Respondent will be responsible for locating course(s) satisfactory to the Wisconsin Board of Nursing or its designee and for obtaining the required pre-approval of the courses from the Wisconsin Board of Nursing prior to taking the courses.

2. Respondent is responsible for providing a description of the course content to the Department Monitor prior to commencement of the program.

3. Further, the Board may reject in whole or in part any educational opportunity which is nominated by Respondent when, in the Board's judgment, the syllabus or description of the course or other educational opportunity is insufficient to fulfill the purpose for which Respondent nominates it by reason of the educational opportunity's scope, content, method of instruction, or degree of participation required of students. If the Board approves an educational opportunity in fulfillment of less than the entire purpose for which Respondent nominates it, Respondent may either accept the Board's limited approval, or forego the opportunity entirely and select another course.

4. Respondent will be responsible for all of the costs of attending the educational programs.

IT IS FURTHER ORDERED that, within 60 days after the courses are concluded, Respondent will file with the Wisconsin Board of Nursing certifications from the sponsoring organization of his attendance at the required courses and his personal written affidavit that he has attended each course in its entirety.

IT IS FURTHER ORDERED that certifications, affidavits, reports or other documents required to be filed with the Wisconsin Board of Nursing be filed with:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
1400 E. Washington Ave.
Madison, WI 53708

All certifications, affidavits, reports or other documents required to be filed with the Wisconsin Board of Nursing will be deemed filed with the Board of Nursing upon receipt by the Department Monitor.

IT IS FURTHER ORDERED that Edita D. Tubonbanua, R.N. will appear before the Wisconsin Board of Nursing, if an appearance is requested by the Board, at the conclusion of the education program to establish that she has complied with all of the terms of this Final Decision and Order.

IT IS FURTHER ORDERED that Ms. Tubongbanua shall pay COSTS in the amount of one thousand one hundred dollars (\$1,100.00). Payment shall be submitted within sixty (60) days from the date of this order. Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to: Department Monitor, Division of Enforcement, Dept. of Regulation & Licensing, P. O. Box 8935, Madison, WI 53708-8935

IT IS FURTHER ORDERED that this Order shall become effective upon the date of its signing.

Dated at Madison, Wisconsin, this 10th day of November, 2005.

By: Jacqueline Johnsrud, RN MS
A Member of the Board