

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
JUNE K. MERGET, RN	:	LS0606089NUR
RESPONDENT	:	

(DOE CASE FILE 03 NUR 120)

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

June K. Merget, RN
6986 Crooked RD
Hartford, WI 53027

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

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

PROCEDURAL HISTORY

An informal complaint is pending before the Board of Nursing in this matter. The parties in this matter, June K. Merget, RN, and Pamela M. Stach, Attorney for the Department of Regulation and Licensing, Division of Enforcement, 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. June K. Merget, RN, Respondent herein, (D/O/B June 6, 1962) is duly licensed by the Wisconsin Board of Nursing as a registered nurse in the state of Wisconsin under license number 91906 which was first granted on August 31, 1985.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 6986 Crooked RD, Hartford, WI. 53027.
3. At all times relevant to this action, Respondent was licensed and employed as a registered nurse in the State of Wisconsin.
4. A formal investigation entitled 03 NUR 120 is pending before the Wisconsin Board of Nursing.
5. On April 22, 2003, Respondent was employed at the Linden Grove Nursing and Rehabilitative Care Center in Linden Grove, WI and providing care and treatment to patient RG.
6. On April 22, 2003, patient RG's G-tube became dislodged and night supervisor, Carol Nethery RN unsuccessfully attempted to reinsert the tube.
7. Ms. Nethery did not review the admission orders prior to attempting to replace the G-tube.
8. The admission orders for Patient RG had the section permitting insertion or change of G-tube for obstruction or displacement crossed out.
9. At approximately 5:00 a.m., Carol Nethery RN contacted the patient's attending physician, Scott Tilleson D.O., who ordered the patient transferred to West Allis Memorial Hospital for tube replacement "after daylight."
10. At the a.m. shift change, Ms. Nethery advised June Merget, RN of the dislodged G-tube and suggested that Ms. Merget might wish to attempt reinsertion of the tube before the patient was transferred.
11. Ms. Merget successfully replaced the G-tube and documented the reinsertion in the patient's record.
12. Ms. Merget noted in the record the 5:00 a.m. telephone order from Dr. Tilleson "send out for G-tube replacement to West Allis Memorial."
13. Ms. Merget added the phrase "if unable to replace at NH" to the telephone order.
14. Ms. Merget did not review the admission or telephone orders prior to replacing the G-tube.
15. Respondent has cooperated fully throughout this investigation and voluntarily agrees to entry of this Order.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter, pursuant to Wis. Stat. § 441.07, and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).
2. Respondent's conduct in failing to execute a medical order and falsification of a medical record as set forth above is a violation of Wis. Stats. sec. 441.07 (1)(b) and Wis. Adm. Code sec. N 7.03(1) (d) and N 7.04(6).

ORDER

NOW THEREFORE IT IS ORDERED that the Stipulation of the parties is hereby accepted.

IT IS FURTHER ORDERED that June K. Merget, RN is hereby REPRIMANDED.

IT IS FURTHER ORDERED that the license of June K. Merget, RN is hereby LIMITED on the following terms and conditions:

1. Within six months of the effective date of this Order, June K. Merget, RN shall participate in and successfully complete three hours of continuing education in professional ethics and three hours of continuing education in assessment and documentation.
2. June K. Merget, RN, shall be responsible for locating the course/s required under this Order, for providing adequate course descriptions to the Department Monitor and for obtaining pre-approval of the course/s from the Wisconsin Board of Nursing prior to commencement of the programs.
3. Within 30 days after the course/s identified in paragraph one above are concluded, June K. Merget, RN shall file with the Wisconsin Board of Nursing certifications from the sponsoring organization of her attendance at the required course/s. The documents shall be mailed to the Department Monitor listed below.
4. All costs of the educational programs shall be the responsibility of the June K. Merget, RN.

IT IS FURTHER ORDERED that June K. Merget, RN, shall pay costs in this matter in the amount of four hundred and fifty dollars (\$450.00) payable to the Department of Regulation and Licensing within ninety days of the effective date of this Order. Payment of costs shall be mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. 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. In the event Respondent fails to pay costs as ordered or fails to comply with the ordered continuing education the Respondent's license (#91906) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

IT IS FURTHER ORDERED THAT this Order is effective upon signing.

Dated at Madison, Wisconsin this 8th day of June, 2006.

STATE OF WISCONSIN
BOARD OF NURSING

Marilyn Kaufmann
A Member of the Board