

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

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
CARYN A. LESSNER, R.N.,	:	LS0607136NUR
RESPONDENT.	:	

Division of Enforcement Case # 04 NUR 329

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

Caryn A. Lessner, R.N.
317 Robin Parkway
Madison, WI 53705

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

Board of Nursing
Department of Regulation & 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 the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Caryn A. Lessner, R.N., (DOB 04/07/1950) is duly licensed as a registered nurse in the State of Wisconsin (license # 30-90658). This license was first granted on June 28, 1985.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 317 Robin Parkway, Madison, Wisconsin.
3. On or about October 1, 2004, Respondent worked as a registered nurse in the Cardiac Intensive Care Unit at UW Hospital. She had direct care responsibilities for only one patient.
4. Co-workers observed that Respondent spent most of the morning sitting at the unit desk.
5. When Respondent went to lunch, the following issues of substandard care were discovered:

- (a) The patient's feet were hanging off the bed, with her head down by the side rail.
- (b) The head of the bed was positioned at less than 30 degrees, even though there was an ongoing tube feeding, which put the patient at risk of aspiration of stomach contents.
- (c) The endotracheal tube had come out of the patient's mouth two centimeters past where it had been marked for proper placement.
- (d) The endotracheal tube was full of bronchial secretions and the vent circuit was full of water.
- (e) The endotracheal tube had dried oral secretions caked on it, indicating that the patient had not been suctioned for some time.
- (f) Although the patient had a Stage I pressure ulcer on her coccyx, she was lying on her back and the pressure ulcer was not bandaged.
- (g) Wound dressings were old, bloody and partially falling off.
- (h) Pacer wires were found uncapped and hanging loose, despite a facility policy to have pacer wires attached to a pacer box or capped off.
- (i) The patient had old dried blood in the vicinity of her arterial line.
- (j) The patient had old stool on the sheets underneath her.
- (k) The PICC line had been turned off and was clotted and occluded, although the standard is to keep IV fluids running through the PICC line to prevent occlusion from clot formation.
- (l) At 8:30 am, two units of blood were ordered to be cross-matched for the patient. This had not been done by the time Respondent left for lunch at 11:15 a.m.
- (m) A culture had been ordered but had not been performed.
- (n) The patient's hands were edematous but had not been propped up above the heart level to encourage fluid drainage.
- (o) There was a paper cup of miscellaneous crushed medications on the patient's bed stand. There was no indication what the medications were or when they should have been given.
- (p) The patient's sternum support bra was bunched up behind her rather than in its proper place.

6. Respondent acknowledges that she provided substandard care to her patient. She states that she was sick that day and should not have come to work.

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. The conduct described in paragraphs 4-5 above constitutes a negligence pursuant to Wisconsin Administrative Code § N 7.03(1) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(c).

ORDER

IT IS ORDERED:

1. Caryn A. Lessner, R.N. is REPRIMANDED.
2. The license of Caryn A. Lessner, R.N. is LIMITED as follows:
 - (a) Respondent shall practice only under the direct supervision of a licensed nurse or other licensed health care professional approved by the Board or its designee and only in a work setting pre-approved by the Board or its designee. Respondent may not work in a home health care, hospice, pool nursing, or agency setting.
 - (b) Respondent shall provide a copy of this Final Decision and Order and all other subsequent orders immediately to supervisory personnel at all settings where Respondent works as a nurse or care giver or provides health care, currently or in the future.
 - (c) It is Respondent's responsibility to arrange for written reports from supervisors to be provided to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance, and shall include the number of hours of active nursing practice worked during that quarter.
 - (d) Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.
3. DEFERRED CAREGIVER: If Respondent fails to fully and completely comply with all terms and conditions set forth in this order, or if the Department receives a subsequent credible allegation against Respondent of abuse, neglect or misappropriation, the Department Monitor shall without further notice or hearing notify the Wisconsin Department of Health and Family Services that the findings set forth in this Order shall thereafter constitute an agency finding of neglect for the purposes of Wis. Stat. §§ 48.685 and 50.065. Respondent shall then REFRAIN from any nursing employment in any facility licensed by the Wisconsin Department of Health and Family Services until such time as Respondent successfully completes a rehabilitation review administered by DHFS.
4. Within ninety days of the date of this order, Respondent shall provide satisfactory proof of completion of six (6) hours of continuing education in stress management. Courses taken in satisfaction of this requirement must be pre-approved by the Board.
5. Respondent shall pay costs of this proceeding in the amount of Nine Hundred Dollars (\$900.00) within ten (10) months of the date of this order. Payment may be made in increments of \$100 per month if Respondent so desires. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and 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
6. 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 (#30-90658) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.
7. This Order is effective on the date of its signing.

Board of Nursing

By: Marilyn Kauffman
A Member of the Board

7/13/06
Date

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
CARYN A. LESSNER, R.N.,	:	LS# _____
RESPONDENT.	:	

Division of Enforcement Case # 04 NUR 329

Caryn A. Lessner, R.N., personally on her own behalf, and Jeanette Lytle, attorney for the Department of Regulation and Licensing, Division of Enforcement, stipulate:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement (case # 04 NUR 329). Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Respondent understands that by signing this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Respondent has been provided an opportunity to obtain the advice of legal counsel prior to signing this stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Board of Nursing. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Board of Nursing ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or her attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.
7. Respondent is informed that should the Board adopt this Stipulation, the Board's final decision and order is a public record and will be published in accordance with standard Department procedure.
8. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order would constitute an agency finding within the meaning of Wis. Stats. §§ 48.685 and 50.065. Respondent understands that if she fails to fully and completely comply with all terms and conditions set forth in the attached order, or if the Department

receives a subsequent credible allegation against Respondent of abuse, neglect or misappropriation, the Department Monitor shall without further notice or hearing notify the Wisconsin Department of Health and Family Services.

9. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Caryn A. Lessner, R.N.
317 Robin Parkway
Madison, WI 53705

Date

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

Date