

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
FRANCINE W. HENDERSON, L.P.N.,	:	LS0611165NUR
RESPONDENT.	:	

Division of Enforcement Case # 06 NUR 216

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

Francine W. Henderson, L.P.N.
3837 North 51st Blvd
Milwaukee, WI 53216

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. Francine W. Henderson, L.P.N., (DOB 02/18/1951) is duly licensed as a practical nurse in the State of Wisconsin (license # 31-29810). This license was first granted on May 25, 1989.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 3837 North 51st Blvd., Milwaukee, Wisconsin, 532216.
3. On October 13-14, 2005, Respondent was working as a practical nurse at Christopher East Health and Rehabilitation Center in Milwaukee, Wisconsin.
4. Resident K.W. was taking Coumadin, an anticoagulant. On October 13, 2005, a physical therapy assistant noticed a large amount of blood on a towel after Resident K.W. wiped her buttocks area. The physical therapy assistant notified Respondent. Respondent applied a dressing to the area.

5. On October 14, 2005, an occupational therapist was working with Resident K.W., when she noticed that Resident K.W. was bleeding from the coccyx area. The occupational therapist called Respondent in to change the dressing. Respondent stated "it is bleeding more than normal. . .it just keeps bleeding."

6. Respondent did not conduct an assessment regarding the bleeding and no vital signs were taken.

7. Respondent did not report her observations regarding Resident K.W. to the registered nurse, she did not contact the physician regarding the resident's bleeding, and she did not document her observations in the clinical record.

8. The facility had been failing to monitor Resident K.W.'s blood clotting levels as ordered since September 23, 2005. Resident K.W. was hospitalized on October 16, 2005, after suffering an intracranial subarachnoid hemorrhage.

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 4-8 above constitutes a violation of Wisconsin Administrative Code § N 7.03(1)(c), N 6.04(1)(c) and N 6.05, and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(c) and (d).

ORDER

IT IS ORDERED:

1. Francine W. Henderson, L.P.N. is REPRIMANDED.

2. The license of Francine W. Henderson, L.P.N., to practice nursing in the State of Wisconsin, and her privilege to practice nursing in Wisconsin pursuant to the Multistate Nursing Compact, is LIMITED as follows:

(a) Respondent, at her own expense, shall complete 6 hours of pre-approved continuing education in patient assessments and documentation within 90 days of the date of this Order. Respondent is responsible for finding an appropriate course and submitting the course information to the Board for approval prior to taking the course and in sufficient time to obtain board approval within the 90 day time frame, taking into account the board's meeting schedule.

3. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of Three Hundred and Fifty Dollars (\$350.00). 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

4. In the event Respondent fails to pay costs as ordered or fails to comply with the ordered continuing education, the Respondent's license (# 31-29810) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

5. This Order is effective on the date of its signing.

Board of Nursing

By: Marilyn Kaufmanm
A Member of the Board

11/16/2006
Date

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
FRANCINE W. HENDERSON, L.P.N.,	:	LS# _____
RESPONDENT.	:	

Division of Enforcement Case # 06 NUR 216

Francine W. Henderson, L.P.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 # 06 NUR 216). 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. Should Respondent wish to work in a Wisconsin DHFS-licensed facility, he will need to pass a Rehabilitation Review through DHFS prior to

commencement of such employment.

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

Francine W. Henderson, L.P.N.
3837 North 51st Blvd.
Milwaukee, WI 53216

Date

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

Date