

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
MARY J. ANNALA, L.P.N., : LS0710041NUR
RESPONDENT. :

Division of Enforcement Case #04NUR176

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

Mary J. Annala, L.P.N.
11382 North State Road 77
Haywood, WI 54843

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 & 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 Wisconsin 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. Mary J. Annala, L.P.N., (DOB 11/16/1953) was licensed as a licensed practical nurse in the state of Wisconsin (license # 16926). This license was first granted on 12/10/1975 and expired April 30, 2005.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 11382 North State Road, Hayward, Wisconsin 54843.
3. At all times relevant to this action, Respondent was working as a licensed practical nurse at Spooner Health System Nursing Home, 819 Ash Street, Spooner, WI 54801.
4. Resident CM's medication Metformin (Glucophage) was ordered to be on Hold until resident's creatinine was drawn on October 29, 2004 per the lab protocol. The Hold status was noted on the Medication Administration Record.
5. On October 27, 2004 at approximately 5:00 p.m., Respondent was passing medication and noticed the Resident CM's Metaformin was missing. Instead of looking at the Medication Administration Record, Respondent took the medication from another resident's draw and gave it to Resident CM. When Respondent went to note it in the chart, she

realized the medication was on Hold status.

6. There was no resulting harm to the patient.

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, by having dispensed a medication to a patient when the medication was on Hold status, as set out above, has engaged in practice which is a substantial departure from the standard of care ordinarily exercised by a competent licensee and is negligent as defined by Wisconsin Administrative Code § N 7.03(1) and is subject to discipline pursuant to Wis. Stats. § 441.07(1)(c).

3. The Wisconsin Board of Nursing has the authority to assess costs pursuant to Wis. State § 440.22 (2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license of Mary J. Annala, L.P.N., to practice nursing in the State of Wisconsin is hereby REPRIMANDED.

2. Mary J. Annala, L.P.N., shall, within nine (9) months of the date of this Final Decision and Order, take and complete 6 hours of continuing education courses in the area of patient safety and 6 hours of continuing education in appropriate medication administration and the avoidance of medication errors. Each course attended in satisfaction of this Order shall be preapproved by the Board of Nursing or its designee. Mary J. Annala, L.P.N. shall be responsible for locating courses satisfactory to the Board of Nursing and for obtaining the required approval of the courses from the Board of Nursing or its designee. Mary J. Annala, L.P.N. shall within 60 days of completion of this educational requirement file an affidavit with the Board of Nursing stating under oath that she has attended in its entirety each of the courses approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations. This affidavit and the supporting documentation of attendance shall be filed with:

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

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

3. The requirements set forth in paragraph 2 shall be completed prior to Mary J. Annala, L.P.N. renewing her license to practice as a licensed practical nurse.

4. Mary J. Annala, L.P.N. shall be responsible for paying the full cost of attendance at these courses.

5. Mary J. Annala, L.P.N. shall notify the Department Monitor at least 10 days prior to beginning employment as a licensed practical nurse. Mary J. Annala shall be required to have her employer submit quarterly work reports to the Department Monitor for a period of two years commencing on the date of her employment as a licensed practical nurse.

IT IS FURTHER ORDERED that:

6. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of eight hundred eighty-six dollars and 55 cents (\$886.55). 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

3. 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 comply with the ordered continuing education the Respondent's license (#16926) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

WISCONSIN BOARD OF NURSING

By: Marilyn Kaufmann
A Member of the Board

10/4/07
Date