

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
AIMEE R. HIGGINS, R.N.,	:	LS07110810NUR
RESPONDENT.	:	

Division of Enforcement Case # 04 NUR 073

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

Aimee R. Higgins, R.N.
324 West Mapleridge Road
Stevens Point, WI 54481

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. Aimee R. Higgins, R.N., (DOB 02/24/1969) is duly licensed as a registered nurse in the State of Wisconsin (license # 30-125453). This license was first granted on February 26, 1997.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 324 West Mapleridge Road, Stevens Point, Wisconsin, 54481.
3. On or about March 7 – 8, 2004, Respondent worked the night shift at Portage County Health Care Center. At the beginning of her shift, she was informed that an 87-year-old patient had experienced a hypoglycemic reaction on the prior shift and required a follow-up blood sugar check.
4. Respondent noted the patient to be very drowsy, not alert and semi-conscious. Yet she did not check the patient's blood sugar during her shift.

5. The patient's blood sugar at 8:00 a.m. the next day was 20.

6. In August of 2006, Respondent was discipline by her employer for an unrelated incident and received education on the proper utilization of insulin syringes.

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 3-6 above constitutes a violation of Wisconsin Administrative Code § NR 7.03(1) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(c).

ORDER

IT IS ORDERED:

1. Aimee R. Higgins, R.N. is REPRIMANDED.

2. The license of Aimee R. Higgins, R.N. to practice nursing in the State of Wisconsin, and her privilege to practice pursuant to the Multi-State Nursing Compact, is LIMITED as follows:

- (a) Respondent, at her own expense, shall complete eight (8) hours of pre-approved continuing education in caring for diabetic patients, within 90 days of the date of this Order. Respondent is responsible for finding appropriate courses and submitting the course information to the Board for approval prior to taking the courses and in sufficient time to obtain board approval within the 90 day time frame, taking into account the board's meeting schedule.
- (b) For at least two years from the date of this order, Respondent shall practice 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.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) Pursuant to Uniform Nursing Licensure Compact regulations, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation and any subsequent related limitations. This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and of the regulatory board in the state in which Respondent proposes to practice.
- (g) After one year, Respondent may petition the Board to end this limitation. If the Board, in its discretion, continues the limitation beyond one year, Respondent may request a hearing on the continuation of the limitation under Wis. Admin. Code ch. RL 2. The hearing shall be held in a timely manner with the evidentiary portion of the hearing being completed within 60 days of receipt of Respondent's request, unless waived by Respondent. Requesting a hearing does not stay the continuation of the limitation during the pendency of the hearing process.

3. Respondent shall, within six (6) months from the date of this Order, pay costs of this proceeding in the amount of Six Hundred Dollars (\$600.00). 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. 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 (# 30-125453) 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 Kaufmann
A Member of the Board

11/8/07
Date

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
AIMEE R. HIGGINS, R.N.,	:	LS# _____
RESPONDENT.	:	

Division of Enforcement Case # 04 NUR 073

Aimee R. Higgins, 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 073). Respondent consents to the resolution of this investigation by stipulation.
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. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Aimee R. Higgins, R.N.
324 West Mapleridge Road
Stevens Point, WI 54481

Date

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

Date