

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 :

EYVONNE KENNEDY, L.P.N., :
RESPONDENT. :

FINAL DECISION AND ORDER
LS0904026NUR

[Division of Enforcement Case # 05 NUR 11]

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

Eyvonne Kennedy, L.P.N.
P.O. Box 212
Black Creek, WI 54106

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 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. Eyvonne Kennedy, L.P.N., (DOB September 3, 1943) is duly licensed as practical nurse in the state of Wisconsin (license # 18212). This license was first granted on December 10, 1976.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is P.O. Box 212, Black Creek, WI 54106.
3. At all times relevant to this action, Respondent was working as practical nurse at Franciscan Care & Rehabilitation Center in Appleton, Wisconsin.
4. On December 23, 2004, at 7:00 a.m., a nursing home resident was scheduled to receive 20 units Novolin R (regular) insulin and 30 units Novolin N (intermediate) insulin. Respondent only administered 30 units of Novolin N (intermediate) insulin at 7:00 a.m.

5. Respondent performed an Accucheck at 11:00 a.m., which showed that the resident's sugar level was high at 431. Respondent then administered 10 units of Novolin R (regular) insulin at 11:00 a.m., as required for the resident's high blood sugar level.

6. The resident's wife discussed the resident's high blood sugar level with Respondent and asked Respondent what the resident had eaten to make his blood sugar so high. Another LPN, LPN S, overheard the conversation, and checked the MAR, which indicated that the 20 units Novolin R (regular) insulin had not been administered at 7:00 a.m. LPN S discussed this with the Respondent, who then noticed her error. Respondent was instructed to report the error, was given the appropriate paperwork that she needed to complete, and was told that she needed to notify the resident's doctor of the error.

7. Respondent threw the paperwork in the garbage and never completed the error report. There is no evidence that Respondent ever notified the resident's doctor of the error.

8. Respondent then initialed on the MAR that 20 units Novolin R (regular) insulin had been administered at 7:00 a.m., when in fact, it had not been administered.

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 - 7, above, constitutes a violation of Wis. Admin. Code §N 7.03(d).

3. The conduct described in paragraph 8, above, constitutes a violation of Wis. Admin. Code §N 7.04(6).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Eyvonne Kennedy, L.P.N., is hereby REPRIMANDED for her unprofessional conduct in this matter.

IT IS FURTHER ORDERED that:

2. Respondent shall, within one hundred eighty (180) days from the date of this Order, pay costs of this proceeding in the amount of FIVE HUNDRED TWENTY DOLLARS (\$520.00). 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

3. In the event Respondent fails to timely pay costs, as ordered, the Respondent's license (# 18212) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has paid them in full, including any accrued interest.

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

Wisconsin Board of Nursing

By: Marilyn Kaufmann
A Member of the Board

4/2/09
Date