

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
CYNTHIA DOWNS MEYER, R.N., :
RESPONDENT. : LS0904029NUR

Division of Enforcement Case # 06 NUR 062

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

Cynthia Downs Meyer, R.N.,
503 LA Highway 92
Maurice, LA 70555

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-89 35

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. Cynthia Downs Meyer, R.N. (DOB 06/21/1962) is duly licensed as a registered nurse in the State of Wisconsin (license # 30-115126). This license was first granted on January 28, 1994. It expired on February 29, 2008. Pursuant to Wis. Stat. § 440.08, the license can be renewed upon payment of a fee until February 28, 2013.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 825 W. Marquette Street, Appleton, Wisconsin, 54914. Upon information and belief, her current address is 503 LA Highway 92, Maurice, LA 70555.
3. At all relevant times, Respondent worked as a registered nurse at Rennes Health Center.
4. On or about February 15, 2006, Respondent documented that she gave Percocet to 101 year old patient M.B. (one at 8:00 a.m. and two at noon). She did not document in the chart why the Percocet were given. This amount of Percocet would have had a significant effect on this resident.

5. On February 21, 2006, Respondent documented that she gave resident D.B. 2 Percocets one hour after an episode of unresponsiveness and right before he was transferred to the emergency room. At the time Respondent documented having given the Percocet, she was preparing paperwork for the emergency room transfer along with the assistant director of nursing.

6. On February 21, 2006, the contingency medication box at Rennes Health Center was missing ten Percocets.

7. On February 22, 2006, Respondent told another nurse that she gave resident C.K. a Percocet at 8:00 a.m. and at noon. The resident denies that she received either Percocet, and states that in fact she never took Percocet for pain, she takes Vicodin. This resident kept a written log of every pain pill she took and that log showed no Percocet was given. In addition, the resident's daughter, who is an L.P.N., was with the resident at all relevant times and denies that the resident received any Percocet.

8. Respondent has a history of narcotic addiction.

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(2) and N 7.04(2), and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d) and (c).

ORDER

IT IS ORDERED:

1. The stipulation of the parties is approved.

2. The Board of Nursing accepts the surrender of Cynthia Downs Meyer's right, pursuant to Wis. Stat. § 440.08, to renew her license to practice nursing in Wisconsin (# 30-115126), upon payment of a fee, and the surrender of her privilege to practice in Wisconsin pursuant to the Multi-state Nurse Licensure Compact.

3. In the event that Respondent reapplies for licensure as a nurse in Wisconsin in the future, she must pay the costs of this proceeding in the amount of Seven Hundred Dollars (\$700.00) prior to licensure. Any license granted will be subject to such conditions as the board may require in its discretion, based on the findings of fact and conclusions of law herein.

3. This Order shall become effective upon the date of its signing.

Dated at Madison, Wisconsin this 2nd day of April, 2009.

Board of Nursing

By: Marilyn Kaufmann
A Member of the Board

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
 : STIPULATION
CYNTHIA DOWNS MEYER, R.N., : LS# _____
RESPONDENT. :

Division of Enforcement Case # 06 NUR 062

Cynthia Downs Meyer, 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 # 06 NUR 062). 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 voluntarily surrender her right, pursuant to Wis. Stat. § 440.08, to renew her license to practice as a nurse in the State of Wisconsin, as well as any privilege she may have to practice nursing in Wisconsin pursuant to the Multi-State Nurse Licensure Compact.
5. 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.
6. 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.
7. 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.
8. 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.

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

Cynthia Downs Meyer, R.N.
503 LA Highway 92
Maurice, LA 70555

Date

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

Date