

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 : FINAL DECISION AND ORDER
:
TARA E. ALBERS, L.P.N., : ORDER 0000017
RESPONDENT. :

Division of Enforcement Case No. 07 NUR 025

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

Tara E. Albers, L.P.N.
1379 Silverstone Trail
De Pere, WI 54115

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 and 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 this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Tara E. Albers, L.P.N., Respondent, date of birth March 15, 1977, is licensed by the Wisconsin Board of Nursing as a licensed practical nurse in the state of Wisconsin pursuant to license number 33818-31, which was first granted September 20, 1996.

2. Respondent's address of record with the Department of Regulation and Licensing is 1379 Silverstone Trail, De Pere, Wisconsin 54115.

3. At all times relevant to this matter, Respondent was employed as a licensed practical nurse at Harbor House II, 1550 Arcadian Lane, De Pere, Wisconsin 54115. As part of her duties, Respondent was responsible for shadowing non-licensed staff during medication administration.

4. On January 02, 2007, the Department of Health Services completed a survey at Harbor House II. The following facts were reported by surveyors in the course of their official responsibilities.

5. On November 23, 2006, a certified nursing assistance reported that another newer certified nursing assistant was passing medications without being appropriately shadowed. The problem was reported to Respondent. The unshadowed staff member erroneously gave a patient ten times the amount of morphine sulfate that had been prescribed. The patient experienced a narcotic overdose.

6. Respondent was the licensed practical nurse who should have been shadowing the nursing assistant, but who did not. The patient's narcotic overdose could have been avoided had Respondent appropriately shadowed the nursing assistant.

7. Morphine is a schedule II controlled substance pursuant to Wis. Stat. § 961.16(2)(a)10.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter pursuant to Wis. Stat. § 441.07 and has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by engaging in the conduct set out above, has committed negligence as defined by Wis. Adm. Code § N 7.03(1)(b) and is subject to discipline pursuant to Wis. Stat. § 441.07(1)(c).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Tara E. Albers, L.P.N., is hereby REPRIMANDED for the above conduct.

2. Respondent's license is LIMITED as follows:

a. Within 180 days of the date of this Order, Respondent shall provide proof sufficient to the Board, or its designee, of Respondent's satisfactory completion continuing education as follows: 4 hours in medication administration, and 3 hours in supervision/delegation, which course(s) shall first be approved by the Board, or its designee.

b. Upon Respondent providing proof sufficient to the Board, or its designee, that she has completed the education, the Board shall issue an Order removing this limitation of Respondent's license.

3. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$150.00 pursuant to Wis. Stat. § 440.22(2).

4. Requests for approval, notification of completion of educational programs and payment shall be faxed, mailed or delivered to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Fax (608) 266-2264
Telephone (608) 267-3817

5. In the event that Respondent fails to pay costs as ordered or fails to comply with the ordered continuing education, Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

WISCONSIN BOARD OF NURSING

By: Marilyn Kaufmann
A Member of the Board

1/28/10
Date