

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CAROL A. NIESSEN, L.P.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER

: Order 0000110
:

[Division of Enforcement Case # 08 NUR 252]

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

Carol A. Niessen, L.P.N.
W8093 Territorial Road
Delavan, WI 53115

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 adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Carol A. Niessen, L.P.N., Respondent, date of birth February 11, 1957, is licensed by the Wisconsin Board of Nursing as a licensed practical nurse in the state of Wisconsin pursuant to license number 307004, which was first granted February 22, 2006.

2. Respondent's last address reported to the Department of Regulation and Licensing is W8093 Territorial Road, Delavan, WI 53115.

3. At the time of the events set out below, Respondent was employed as a licensed practical nurse and supervisor by Vintage on the Ponds, a community-based residential facility (CBRF) located in Delavan, Wisconsin. On July 9, 2008, Respondent was scheduled as the

nurse and supervisor on the 12:30 p.m. – 11:00 p.m. shift and was to train a Certified Medical Assistant (CMA) who was hired to administer medications and provide supervision for the employees.

4. At approximately 8:30 p.m., while the CMA was being trained by a certified nursing assistant to pass medications, Respondent approached the CMA and told her that she (Respondent) needed to leave the facility on a personal matter. The CMA told Respondent that she did not feel comfortable being left alone and Respondent told her she would be fine, that the next nurse would be in at 11:00 p.m. Respondent handed the CMA her keys and left the facility.

5. In the morning on July 10, staff found a note from Respondent under the office door which stated "I am no longer going to work @ the Vintage. I gave my keys to [CMA]. Please mail my check to my home."

6. Respondent, by leaving the facility without notifying her supervisor or finding another nurse to cover for her, abandoned her shift, neglecting the residents and leaving employees unsupervised.

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 engaging in the conduct set out above, has committed misconduct or unprofessional conduct as defined by Wis. Adm. Code § N 7.04(4) which subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Carol A. Niessen, L.P.N., is hereby REPRIMANDED for the above conduct.

2. Respondent shall, within 120 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$300.00, pursuant to Wis. Stat. § 440.22(2).

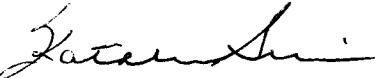
3. Payment shall be mailed or delivered to:

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

4. In the event that Respondent fails to pay costs as ordered, Respondent's license may, in the discretion of the Board or its designee, 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.

Wisconsin Board of Nursing

By: 
A Member of the Board

3/25/10
Date

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