

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 :
KATHLEEN A. UDD, L.P.N., : FINAL DECISION AND ORDER
RESPONDENT. : Order 0000239
 :

[Division of Enforcement Case # 07 NUR 364]

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

Kathleen A. Udd, L.P.N.
1803 Ridge Road
Junction City, WI 54443

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. Kathleen A. Udd, L.P.N., Respondent, date of birth May 13, 1959, is licensed by the Wisconsin Board of Nursing as a licensed practical nurse in the state of Wisconsin pursuant to license number 23064, which was first granted October 31, 1980.
2. Respondent's last address reported to the Department of Regulation and Licensing is 1803 Ridge Road, Junction City, WI 54443.
3. At the time of the events set out below, Respondent was employed as a licensed practical nurse at Stevens Point Care Center, a nursing home in Stevens Point, Wisconsin.

4. On July 14, 2007, Respondent received a written warning for having signed for controlled narcotic medications without performing an inventory. On three occasions prior to this date, Respondent had also received corrective discipline regarding her failure to complete tasks listed on a to-do list and for failing to attend two mandatory in-service trainings.

5. On October 15, 2007:

a. Respondent received a call about a critical lab value (potassium of 2.2; normal range 3.5–5.0) for Resident AG. Respondent took the message and called Hospice with the lab value, but mistakenly provided the name of another resident, Resident ML. Respondent received a physician's order for 20 mEq of potassium that was to be given immediately and then to update the physician in the morning.

b. Resident ML, whose potassium level was within the normal range at 4.8, received the potassium dose and Resident AG went unattended. Although too much or too little potassium can cause serious side effects, neither patient was harmed by the error.

c. Respondent gave the medication room keys to a pharmacy delivery person. He left with the keys in his pocket but returned them two hours later.

6. On October 16, the medication error was discovered. Respondent admitted making the error and claimed that she was distracted by the night nurse who was talking with other staff about Resident ML and other things while she was transcribing the message. Respondent's employment was suspended and subsequently terminated on October 19, 2007.

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 negligence as defined by Wis. Adm. Code § N 7.03(1)(b) which subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(c).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Kathleen A. Udd, 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: Marilyn Kaufmann
A Member of the Board

6/3/10
Date