

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

NANCY L. WELICKY, R.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER

: Order 0000342
:

[Division of Enforcement Case # 09 NUR 322]

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

Nancy L. Welicky, R.N.
15782 State Rd 27
Hayward, WI 54843

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. Nancy L. Welicky, R.N., Respondent, date of birth September 30, 1946, is licensed by the Wisconsin Board of Nursing as a registered nurse in the state of Wisconsin pursuant to license number 92230, which was first granted August 31, 1985.

2. Respondent's last address reported to the Department of Regulation and Licensing is 15782 State Rd 27, Hayward, WI 54843.

3. At the time of the events set out below, Respondent was employed as a registered nurse at the Hayward Nursing Home in Hayward, Wisconsin.

4. On September 21, 2009, Respondent received a call from Resident A's physician. During this call, the physician updated Respondent about the physician's visit with Resident A the previous day, at which time Resident A communicated suicidal ideation to the physician. The

physician indicated to Respondent that suicidal precautions were not necessary but requested that an appointment be set up for Resident A to see a psychiatrist.

5. Respondent did not:

- a. Document her conversation with the physician;
- b. Change the care plan to reflect Resident A's change in condition;
- c. Communicate Resident A's change in condition to another person or shift;
- d. Carry out the verbal order to schedule an appointment for Resident A with the psychiatrist.

6. At approximately 3:45 a.m. on September 22, Resident A made small cuts/abrasions on her neck, left hand upper thighs and groin. The cuts were not life threatening but Resident A was sent to a behavioral unit for treatment.

7. During an investigative interview on September 22, Respondent explained that Resident A's physician had a plan and Respondent did not feel she needed to say anything to anyone. Respondent's employment was suspended pending further investigation.

8. During another interview on September 29, Respondent admitted to not following proper policies and procedures and admitted that she should have documented her phone conversation with Resident A's physician. Respondent's employment was subsequently terminated.

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

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Nancy L. Welicky, R.N., is hereby REPRIMANDED for the above conduct.

2. Respondent's license to practice nursing in the State of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, is LIMITED as follows:

- a. Respondent, at her own expense, shall complete four (4) hours of pre-approved continuing education in nursing ethics, and four (4) hours of pre-approved continuing education in transcription of physician orders, within 90 days of the date of this Order. Respondent is responsible for finding appropriate courses and submitting the course information to the Board for approval prior to taking the course and in sufficient time to obtain board approval within the 90-day time frame, taking into account the Board's meeting schedule.
- b. For a period of at least one (1) year from the date of this Order, Respondent's supervisor(s) shall provide written reports evaluating Respondent's nurse

performance to the Department Monitor on a quarterly basis, as directed by the Department Monitor.

c. Respondent shall notify the Department Monitor of any change of nursing employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.

d. Pursuant to Uniform Nurse Licensure Compact regulations, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation. This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and the regulatory board in the state in which Respondent proposes to practice.

3. Respondent shall, within 180 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$350.00 pursuant to Wis. Stat. § 440.22(2).

4. Any requests, reports, evidence of completion of educational programs and payment shall be mailed, faxed 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. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event that Respondent fails to pay costs as ordered or fails to comply with the ordered continuing education, 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.

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

Wisconsin Board of Nursing

By: Marlyn Kaufmann
A Member of the Board

6/3/10
Date