

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov



Before The
State Of Wisconsin
Board of Nursing

In the Matter of the Disciplinary Proceedings
Against YASMIN PAVE, Respondent

FINAL DECISION AND ORDER
Order 0000374

Division of Enforcement Case Nos. 07NUR406 and 07NUR451

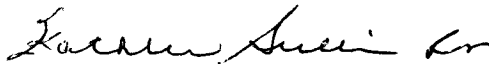
The State of Wisconsin, Board of Nursing, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Administrative Law Judge, make the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Administrative Law Judge, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Board of Nursing.

The rights of a party aggrieved by this Decision to petition the department for rehearing and the petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated at Madison, Wisconsin on the 2 day of Sept, 2010.



Member
Board of Nursing



Before The
State Of Wisconsin
DIVISION OF HEARINGS AND APPEALS

In the Matter of the Disciplinary Proceedings Against
YASMIN PAVE, Respondent

PROPOSED DECISION AND ORDER
DHA Case No. DRL-10-0021

DOE Case Nos. 07NUR406 and 07NUR451

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

Yasmin Pave
1636 Chantham Street
Racine, WI 53402

Yasmin Pave
2025 Washington Ave
Racine, WI 53403

Wisconsin Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935

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

PROCEDURAL HISTORY

These proceedings were initiated when the Department of Regulation and Licensing, Division of Enforcement (the "Division") filed a formal Complaint against the respondent, Yasmin Pave. The Division filed said Complaint with the Division of Hearings and Appeals on or about April 6, 2010. On the same date, the Division sent a copy of the Complaint and a Notice of Hearing via certified mail to Respondent Pave at the address it believed to be her most current address, 1636 Chantham Street, Racine, WI, 53402. (A copy of the Complaint and Notice of Hearing was also sent to Respondent Pave via regular mail at her most recent address on file with the Department of Regulation and Licensing, 2025 Washington Avenue, Racine, WI, 53403). The Notice of Hearing stated that Respondent Pave was required to file a written Answer to the Complaint within 20 days, failing which "[she would] be found to be in default and a default judgment [could] be entered against [her] on the basis of the Complaint and other evidence and the Wisconsin Board of Nursing [could] take disciplinary action against [her] and

impose the costs of the investigation, prosecution and decision of this matter upon [her] without further notice or hearing.”

Despite the facts that; (1) someone signed the certified mail card that accompanied the copy of the Complaint that was sent to Respondent Pave by certified mail, (indicating acceptance thereof), and (2) the copy of the Complaint that was sent to Respondent Pave via regular mail was not returned; to date, no Answer has been filed by the respondent.

On January April 27, 2010, the undersigned Administrative Law Judge (ALJ) of the Division of Hearings and Appeals issued a Notice of Telephone Prehearing Conference that set a telephone conference with Respondent Pave and Attorney Jeanette Lytle of the Division of Enforcement for May 17, 2010. This Notice instructed Respondent Pave to contact the undersigned ALJ to provide the telephone number for which she could be reached for the May 17, 2010 telephone conference, and was sent to both addresses on file for Respondent Pave, as provided above.

Respondent Pave did not contact the undersigned ALJ with a telephone number that she could be reached at for the My 17, 2010, telephone conference, thus the telephone conference that was conducted on that date was without her participation. Attorney Lytle made a motion for default pursuant to Wis. Admin. Code § RL 2.14. The undersigned ALJ summarily accepted Attorney Lytle’s default motion and issued a Notice of Default instructing Respondent Pave that she was in default and that findings would be made and an Order entered on the basis of the Complaint and other evidence. The Notice of Default further ordered Attorney Lytle to provide the undersigned ALJ with the Division’s written recommendations for discipline and the assessment of costs in this matter by May 21, 2010. Attorney Lytle provided the undersigned ALJ with said recommendations on or about May 21, 2010.

Respondent Pave has failed to respond to either the Notice of Default issued against her, or the written recommendations provided by Attorney Lytle on May 21, 2010.

FINDINGS OF FACT

1. Yasmin Pave, Respondent, date of birth August 6, 1972, was formerly licensed by the Wisconsin Board of Nursing as a registered nurse in the state of Wisconsin pursuant to license number 142849. That license was first granted on October 21, 2002, and expired on February 28, 2010. Respondent retains a right to reinstatement of that license upon payment of a fee until February 28, 2015.

2. Respondent pave’s most recent address on file with the Wisconsin Board of Nursing is 2025 Washington Avenue, Racine, Wisconsin, 53403. Upon information and belief, her current address is actually 1636 Chantham Street, Racine, Wisconsin, 53402.

3. In October of 2007, the Wisconsin board of Nursing was notified that with respect to patient LW:
 - a. Respondent gave said patient three doses of Ativan® (lorazepam) totaling 5 mg (at 23:04, 23:30 and 01:30) when she should have given her 1-2 mg every three hours.
 - b. Respondent improperly wasted 285 mcg of fentanyl after taking out a total of thirteen 100 mcg vials.
 - c. Respondent did not report to the next shift that fentanyl was given and she took the Medication Administration Record home, so that the day shift did not have a record of the medications given the night before.
4. Patient LW was found unresponsive the next day, and was transferred to a local hospital where it was determined that she had mental status changes most likely due to medications.
5. In December of 2007, the Wisconsin Board of Nursing was notified that with respect to four patients:
 - b. Respondent wrote telephone orders for patient EM to receive Demerol®, and removed the Demoral® from the automatic medication dispensing machine. The physician stated that he did not give the order. Respondent then changed the order to reflect that it came from a different physician. The second physician also stated that he did not give the order.
 - c. Respondent removed 450 mg of meperidine (Demerol®) from the automatic medication dispensing machine, documented giving 100 mg, but did not document any waste.
 - d. Respondent removed 50 mg and then 100 mg of meperidine for patient WB, who was not assigned to her and who had not had meperidine for pain for two days prior.
 - e. Respondent removed 500 mg Demerol® for patient WB, documented administering 150 mg, and did not document any wasting.
 - f. Respondent removed 26 mg morphine for patient AG. She documented administering 15 mg, and did not document any wasting.
 - g. Respondent removed 12 mg of morphine for patient MP, documented administering 6 mg, and did not document any wasting. For the same patient and same date, she removed 175 mg meperidine, documented administering 100 mg, wasted 50 mg, and did not document what happened to the remaining 25 mg.
6. On or about August 4, 2009, Respondent pled guilty to possession of cocaine, second/subsequent drug offense (Wis. Stat. § 961.41(3g)(c)), and bail jumping (Wis. Stat. § 946.49(1)(a)). Charges of possession of drug paraphernalia and two additional bail jumping charges were dismissed but read in.

CONCLUSION OF LAW

1. The conduct described in paragraphs 3-5 above constitutes a violation of Wisconsin Administrative Code § N. 7.04(2)¹ and subjects Respondent Pave to discipline pursuant to Wis. Stat. § 441.07(1)(d)².

2. The conduct described in paragraph 6 above constitutes a violation of Wisconsin Administrative Code § N. 7.04(1)³, and subjects Respondent Pave to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that :

Respondent Yasmin Pave's right to renew her license, per Wis. Stat. § 440.08, upon the payment of a fee, be **REVOKED**.

IT IS FURTHER ORDERED that the respondent shall pay all costs in this matter in an amount to be established pursuant to Wis. Admin. Code § 2.18. After the amount is established, payment shall be made by certified check or money order payable to the Wisconsin Department of Regulation and Licensing and sent to:

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

¹ Wisconsin Administrative Code § N. 7.04(2) defines as misconduct or unprofessional conduct, "administering, supplying or obtaining any drug other than in the course of legitimate practice or as otherwise prohibited by law."

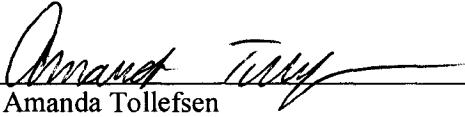
² Wis. Stat. § 441.07(1)(d) states, in relevant part, that "[t]he board may... revoke,, limit, suspend or deny renewal of a license of a registered nurse... if the board finds that the person committed any of the following...(d) Misconduct or unprofessional conduct."

³ Wisconsin Administrative Code § N. 7.04(1) defines as misconduct or unprofessional conduct, "[v]iolating, or aiding and abetting a violation of any law substantially related to the practice of professional or practical nursing...."

IT IS FURTHER ORDERED that the above-captioned matter be and hereby is closed as to Respondent Yasmin Pave.

Dated at Madison, Wisconsin on June 23, 2010.

STATE OF WISCONSIN
DIVISION OF HEARINGS AND APPEALS
5005 University Avenue, Suite 201
Madison, Wisconsin 53705
Telephone: (608) 266-7709
FAX: (608) 264-9885

By: 
Amanda Tolleson
Administrative Law Judge

G:\DOCS\DRLEDecision\Pavey YasPropDec.aat.doc