

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
ELIZABETH M. OGLETREE, R.N.,	:	
RESPONDENT.	:	ORDER 0000 397

Division of Enforcement Case # 08 NUR 374

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

Elizabeth M. Ogletree, R.N.
619 Welch St.
Rewey, WI 53580

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 in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Elizabeth M. Ogletree, R.N., (DOB 01/28/1975) is duly licensed as a registered nurse in the State of Wisconsin (license # 30-130136). This license was first granted on July 20, 1998.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 619 Welch Street, Rewey, Wisconsin, 53580.

3. At all relevant times, Respondent worked as a nurse in a nursing home.

4. An internal audit showed that in 15 documented incidents between September 9, 2008 and October 6, 2008, Respondent claimed to have either dropped or spilled medications, but did not follow appropriate procedures for wasting medications. She had a significantly higher wasting rate than other nurses on the unit.

5. On October 9, 2008, Respondent charted giving 2 tablets of oxycodone to Resident BB, yet BB had one hour earlier reported no pain. Respondent was the only nurse to document giving oxycodone to BB in the prior month.

6. Because of a suspicion of impairment, Ogletree was asked to undergo a drug test, which she complied with. The test came back positive for Opiates and Acetaminophen/Paracetamol. Ogletree reported that she had taken Vicodin and Darvocet the evening prior to the drug test.

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. The conduct described in paragraphs 4-6 above constitutes a violation of Wisconsin Administrative Code § N 7.03(1) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(c).

ORDER

IT IS ORDERED:

1. Elizabeth M. Ogletree, R.N., is REPRIMANDED.

2. The license of Elizabeth M. Ogletree, R.N., to practice nursing in the state of Wisconsin, and her privilege to practice nursing in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

a. Respondent, at her own expense, shall complete four (4) hours of pre-approved continuing education in medication administration and documentation, 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. Respondent shall immediately provide a copy of this Order to all nursing employers. For a period of at least two (2) years from the date of this Order, Respondent shall arrange for quarterly reports from her nursing employer(s) reporting the terms and conditions of her employment and evaluating her work performance. These reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing Division of Enforcement, at P.O. Box 8935, Madison, Wisconsin, 53708-8935.

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.

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 \$600.00 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. 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 S USPENDED, 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: Kathleen Sullivan
A Member of the Board

9-2-10
Date