

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

LISA M. EMERICH, L.P.N.,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0000 523

Division of Enforcement Case # 10 NUR 376

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

Lisa M. Emerich, L.P.N.
2838 7th Street
Eau Claire, WI 54703

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. Lisa M. Emerich, L.P.N., Respondent, date of birth March 29, 1969, is licensed by the Wisconsin Board of Nursing as a practical nurse in the state of Wisconsin pursuant to license number 309595, which was first granted February 22, 2008..
2. Respondent's last address reported to the Department of Regulation and Licensing is 2838 7th Street, Eau Claire, Wisconsin 54703.
3. At all relevant times, Respondent was employed as a licensed practical nurse at a nursing home.

4. On or about August 9, 2010, Respondent signed out two controlled substances, without giving them to the patients. She stated that she assumed her co-worker would give them to the patients.

5. On or about August 10, 2010, Respondent signed out that she had given 5 out of 7 patients their hour of sleep medications at or near suppertime. When questioned, Respondent initially denied, then admitted giving the medications early.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter pursuant to Wis. Stat. § 441.07 and has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

2. Respondent's conduct as set forth above constitutes negligence as defined by Wis. Admin. Code § N 7.03(1), and subjects her to discipline pursuant to Wis. Stat. § 441.07(1)(c).

ORDER

1. Lisa M. Emerich, L.P.N., is REPRIMANDED.

2. The license of Lisa M. Emerich, L.P.N. 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. Within ninety (90) days of the date of this Order, Respondent, at her own expense, shall complete four (4) hours of pre-approved continuing education in nursing documentation and four (4) hours of pre-approved continuing education in medication administration. Respondent is responsible for finding appropriate course(s) 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 two (2) years from the date of this Order:

1) Respondent shall provide a copy of this Final Decision and Order immediately to supervisory personnel at all settings where Respondent works as a nurse or caregiver or provides health care, during the two-year period.

2) 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.

3) Respondent shall practice only under direct supervision, and only in a work setting pre-approved by the Board or its designee. Respondent shall not work in a home health, agency or pool position.

4) 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.

5) 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 90 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of Two Hundred Dollars (\$200.00), pursuant to Wis. Stat. § 440.22(2).

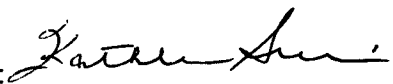
4. Requests for approval, notification of completion of educational programs and payment shall be faxed, mailed or delivered to:

Department 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: 
A Member of the Board

11/4/10
Date