

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
NELLECA M. JOHNSON, L.P.N., :  
RESPONDENT. : **ORDER 0000986**

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Division of Enforcement Case # 10 NUR 403

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

Nelleca M. Johnson, L.P.N.  
3926 N 71<sup>st</sup> Street  
Milwaukee, WI 53216

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. Nelleca M. Johnson, L.P.N., (DOB 04/23/1951) is licensed as a practical nurse in the State of Wisconsin (license # 31-30003). This license was first granted on December 1, 1989.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 3926 N. 71<sup>st</sup>. Street, Milwaukee, WI 53216.

3. At all relevant times, Respondent was working at a nursing home in Milwaukee, Wisconsin.

4. Resident A was an 84-year-old, insulin-dependent woman. She had orders to check her blood sugar levels four times daily. Usual levels for this resident were in the upper 100's. If blood sugars dropped below 60, staff were to intervene with ½ cup juice, 1 cup milk, 1 tube glucose gel or 3 glucose tablets or, if unresponsive, IM glucagon. The nurse was to wait 15 minutes, recheck blood sugar, and if necessary repeat. The nurse was also to contact the physician immediately.

5. On or about March 25, 2010, Resident A was found to be lethargic, with cool, moist skin. At approximately 4:15, Respondent gave four ounces of a house supplement and two sugar packets and laid the resident in bed. Then she left and completed her med pass.

6. At approximately 4:50 p.m., the resident was found on the floor next to her bed. She had a bump on her head, blood in her mouth from having bitten her tongue, and shoulder pain. Her blood sugar level was 57. X-rays showed a fracture between C5 and C6. She now requires extensive assistance with cares, increased pain, and wears a cervical collar.

#### 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 5 above constitutes a violation of Wisconsin Administrative Code § N 7.03(1) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

#### ORDER

IT IS ORDERED:

1. Nelleca M. Johnson, L.P.N., is REPRIMANDED.

2. The license of Nelleca M. Johnson, L.P.N., to practice nursing in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

a. Respondent, at her own expense, shall complete three (3) hours of pre-approved continuing education in the care and treatment of diabetic

patients, within ninety (90) days of the date of this Order. Respondent is responsible for finding an appropriate course 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. Respondent shall provide proof of completion of the continuing education to the Department Monitor.

- b. Respondent shall provide her nursing employers with a copy of this Order before engaging in any nursing employment.
- c. For a period of at least two (2) years from the date of this order, Respondent shall work only in a work setting pre-approved by the Board. Respondent shall not work in a home health, agency or pool position.
- d. 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.
- e. 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.
- f. 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.

4. Respondent shall, within ninety (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).

5. All petitions, payments, reports and other correspondence 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

6. 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, 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.

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

Wisconsin Board of Nursing

By: L. M. [Signature]  
A Member of the Board

7/21/11  
Date