

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

FINAL DECISION AND ORDER

COLLEEN J. SULLIVAN, RN
RESPONDENT.

ORDER 0001070

Division of Enforcement Case #08 NUR 396

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

Colleen J. Sullivan, RN
508 N. Powers Street
Port Washington, WI 53074

Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708

Board of Nursing
Department of Safety and Professional Services
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708

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 this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Colleen J. Sullivan, RN, ("Respondent") was born on May 14, 1958, and is licensed as a registered nurse in the state of Wisconsin (License No. 90401-30). This license was granted on March 27, 1985.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services is 508 N. Powers Street, Port Washington, WI 53074.

3. While working as a Registered Nurse at the Milwaukee Co. Behavioral Health Division, Respondent engaged in numerous incidents of negligence between the dates of August 2, 2008 and October 20, 2008.

- a. On August 2, 2008, Respondent administered one patient's medication to another patient. The patient received Depakote and Zyprexa when she was supposed to receive Haldol, colace, and lithium. Respondent claims the patient did not have her ID bracelet on, so she inquired the patient's first name. The patient had the same first name as the intended patient, but a different last name. Respondent failed to follow protocol by asking the patient spell his or her last name.
- b. On the dates of August 20, 2008, August 25, 2008, September 13, 2008 and September 14, 2008, Respondent signed out Percocet on the controlled substance record, but no record of the Percocet being administered to patients was reflected. Respondent claims there is not enough room on the daily notes chart to mention controlled substances that were checked out.
- c. On September 16, 2008, a physician reported that at approximately 12:00 P.M., her patient's 2:00 P.M. Neurontin was already signed by Respondent as given. Respondent claims she signs the medicine as given when she pours the dosage, not when she administers it to the patient.
- d. On October 7, 2008, Respondent documented that she administered 29mg IM to a patient. However, there is no such dose. Respondent claims that this incident is an administrative error, she gave the 25 mg dosage, and the order is what said 29 mg.
- e. On October 20, 2008, Respondent documented that she administered risperdal consta 50 mg IM to a patient, when in fact she only administered 25mg IM. The doctor had ordered 50 mg IM, and Respondent reports that "I just gave what was in the refrigerator." Respondent failed to take responsibility for this incident and that she mistakenly gave the 25 mg when it should have been 50 mg.

4. Respondent advises that during the last four months of her employment at Milwaukee County, she was under a physician's care for depression and anxiety. Respondent believes medications she took for her depression and anxiety caused her poor work performance at Milwaukee County. Respondent's treatment has since been changed.

5. Respondent resigned from Milwaukee County shortly after these incidents occurred.

6. Respondent is currently working as an independent nurse for the state of Wisconsin. She only has two patients. One is a thirteen (13) years old boy to whom Respondent administers Naltrexone daily. The other patient is a thirty eight (38) year old woman, for whom the Respondent takes vital signs, provides care and helps with transfers.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.07(1), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct describe in paragraph 3 above, constitutes a violation of Wis. Admin. Code § NUR 7.03 (1)(b) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1).

ORDER

IT IS ORDERED:

1. Colleen J. Sullivan, RN (License No. 90401-30) is REPRIMANDED.
2. The license of Colleen J. Sullivan, R.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. Within sixty (60) days of the date of this Order, Respondent shall undergo a psychological evaluation, at her own expense.
 - i. The evaluating psychologist must not have treated Respondent at any time and shall have been approved by the Board, with an opportunity for the Division to make its recommendation, prior to the evaluation being performed.
 - ii. The Division shall provide the evaluating psychologist and Respondent with those portions of the investigative file which the Division believes may be of assistance in performing the evaluation. Respondent may provide the evaluating psychologist with any information Respondent believes will be of assistance in performing the evaluation and shall immediately provide copies of that information to the Division.
 - iii. Respondent shall authorize the evaluating psychologist to provide the Board, or its designee, and the Division with the evaluation report and all materials used in performing the evaluation and shall provide the Board, or its designee, and the Division with the opportunity to discuss the evaluation and findings with the evaluating psychologist.
 - iv. If the evaluating psychologist shows, to the Board's satisfaction, that Respondent is safe to practice nursing, the Board shall lift this limitation. However, the Board may limit Respondent's license in any manner it sees fit to address the facts above and any recommendations resulting from the assessment, including but not limited to work setting and quarterly employer work reports.

- b. Within ninety (90) days of the date of this Order, Respondent shall supplement current documentation from her treatment provider indicating her fitness to practice nursing. For one year thereafter, Respondent shall cause her treatment provider to submit quarterly treatment/status updates.
 - c. For two (2) years from the date of this Order, Respondent shall, at the request of the Board or its designee or an employee of the Department, submit to random drug screening.
 - d. Within ninety (90) days of the date of this Order, Respondent, at her own expense, shall successfully complete a minimum of four (4) hours of continuing education in the area of Nursing Ethics and four (4) hours of continuing education in the area of Medication Administration and Charting. Respondent shall locate the course(s) required by this Order, provide adequate course descriptions to the Department Monitor, and obtain pre-approval of the courses from the Wisconsin Board of Nursing, or its designee, prior to taking the courses.
 - e. Respondent shall provide by her nursing employers or Case Manager with a copy of this Order before engaging in any nursing employment.
 - f. 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 notify the Board of any changes with respect to patients currently served by Respondent as an Independent Provider performing private duty nursing, and shall obtain pre-approval of the Board as to any new patients. Respondent shall not otherwise work in a home health, agency or pool position without prior approval of the Board.
 - g. 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) or Case Manager of Respondent's patients reporting the terms and conditions of her employment and evaluating her work performance.
 - h. 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.
 - i. 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 one hundred twenty (120) days from the date of this Order, pay costs of this proceeding in the amount of ONE THOUSAND TWO HUNDRED

FIFTY DOLLARS (\$1,250.00). Payment shall be made payable to the Wisconsin Department of Safety and Professional Services.

4. All petitions, payments, reports and other correspondence shall be mailed or delivered to:

Department Monitor
Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

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 Respondent fails to timely submit payment of the costs or fails to comply with the ordered continuing education as set forth above or fails to provide quarterly treatment/status updates from Dr. Duffy, the Respondent's license (#90401-30) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with this Order.

This Order shall be effective on the date of its signing.

BOARD OF NURSING

By: 

A Member of the Board

Date Sept 1, 2011