

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

MARY J. TRUNNELL, R.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER

:
:
ORDER 0001818

Division of Enforcement Case No. 11NUR648

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

Mary J. Trunnell, R.N.
3379 N. 48th Street
Milwaukee, WI 53216

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

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

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 (Board). 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. Mary J. Trunnell, R.N., (DOB 02/19/1956) is licensed as a professional nurse in the State of Wisconsin (license no. 89206-30). This license was first granted on August 21, 1984.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 3379 N. 48th Street, Milwaukee, WI 53216.

3. While working as a professional nurse at a detention facility in Milwaukee, Wisconsin, Respondent exited her unit without administering medications to inmates as she was assigned. Respondent documented that the inmates refused their medications.

4. After exiting the unit, Respondent was denied access to the unit by security staff. Respondent failed to contact the shift commander to regain access to the unit and failed to properly chart why the medications were not distributed.

5. On January 22, 2009, the Board issued a Final Decision and Order (Order) against Respondent indefinitely suspending her license. The Order was based on Respondent reporting to work with alcohol on her breath.

6. On March 27, 2009, The Board granted Respondent an initial stay of suspension and Respondent is currently in compliance with the Order.

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

ORDER

IT IS ORDERED:

1. The January 22, 2009 Board of Nursing Order, and all subsequent related Monitoring Orders, remain in full force and effect. In addition:

2. Mary J. Trunnell, R.N., is REPRIMANDED.

3. The license of Mary J. Trunnell, 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. Respondent, at her own expense, shall complete four (4) hours of pre-approved continuing education in documentation, and four (4) hours of

pre-approved continuing education in safe medication administration, 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 courses 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. For a period of at least two (2) years from the date of this order, Respondent shall work only under direct supervision, and only in a work setting pre-approved by the Board. Respondent shall not work in a home health, agency or pool position.
- c. 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. The work reports submitted pursuant to the Order issued to Respondent on January 22, 2009 shall satisfy this work report requirement.

4. After two (2) years from the date of this Order, Respondent may petition the board for the modification or termination of the limitation. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit.

5. Respondent shall, within ninety (90) days of the date of this Order, pay to the Department of Safety and Professional Services costs of this proceeding in the amount of Three Hundred Fifty Dollars (\$350.00) pursuant to Wis. Stat. § 440.22(2).

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

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

7. 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 timely submit payment of the costs as ordered or fails to comply with the ordered continuing education as set forth above, Respondent's license (no. 89206-30) 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.

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

Wisconsin Board of Nursing

By: Laura M. Wazawa, RN
A Member of the Board

6/7/12
Date