

## 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 THE LICENSE OF :  
DORIS HAWKINS, L.P.N. : FINAL DECISION AND ORDER  
: FOR REMEDIAL EDUCATION  
: ORDER 0002041

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Division of Enforcement Case No. 11NUR303

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

Doris Hawkins, L.P.N.  
3504 N. 16<sup>th</sup> Street  
Milwaukee, WI 53206

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. 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. Doris Hawkins, L.P.N., (DOB 02/27/1958) is licensed as a practical nurse in the State of Wisconsin (license no. 32096-31). This license was first granted on November 20, 1993.

2. Licensee's most recent address on file with the Wisconsin Board of Nursing is 3504 N. 16<sup>th</sup> Street, Milwaukee, WI 53206.

3. At all times relevant, Licensee was employed as a practical nurse at Sunrise Care Center in Milwaukee, Wisconsin.

4. On June 7, 2011 at 1445, Licensee wheeled a resident, who could not wheel himself, into the courtyard as requested by the resident. The resident has physically prevented other staff members from returning him to his unit. He was verbally aggressive and insisted on sitting outside. Licensee placed resident in view of other staff members at the front desk in front of a glass patio door, and propped the door open. Licensee returned to her other duties. Licensee instructed a certified nursing assistant to check on the resident, and was specifically told by the certified nursing assistant that she had done so. By 1500, the outside temperature reached 97 degrees Fahrenheit.

5. At 1800, a certified nursing assistant found the resident unresponsive in the courtyard. A physician onsite pronounced the resident deceased.

6. An autopsy performed by the Milwaukee County Medical Examiner determined that the resident's cause of death was hypertensive and atherosclerotic heart disease. The manner of death was natural. Other significant changes were diabetes mellitus, congestive heart failure, renal failure, and blindness. There is no indication in the autopsy that heat was a contributing factor to the resident's death.

7. Licensee believed that certified nursing assistants had checked on the resident while he was outside. However, licensee's failure to check on the resident herself, under the circumstances of the weather, deviated from the minimum standards of competence in the practice of nursing.

8. Licensee relied upon the certified nursing assistant's representation that the resident had been checked on while outside. However, due to the circumstances of the weather, Licensee concedes that she should have personally verified the accuracy of the assistant's report.

#### 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).

#### ORDER

IT IS ORDERED:

1. Doris Hawkins, L.P.N., shall, at her own expense and within three (3) months of the date of this Final Decision and Order, take and successfully complete 3 hours of pre-approved continuing education addressing appropriate delegation, and 3

hours of pre-approved continuing education addressing the effects of heat on the elderly. Each course attended in satisfaction of this Order must be preapproved by the Board of Nursing or its designee. Licensee will be responsible for locating courses satisfactory to the Board of Nursing and for obtaining the required approval of the courses from the Board of Nursing or its designee. Licensee will within 60 days of completion of this educational requirement file an affidavit with the Board of Nursing stating under oath that she has attended in its entirety each of the courses approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations.

2. Licensee shall, within one hundred twenty (120) days from the date of this Order, pay costs of this proceeding in the amount of Five Hundred Dollars (\$500.00). Payment shall be made payable to the Wisconsin Department of Safety and Professional Services.

3. All affidavits, reports and payments shall be mailed to:

Department Monitor  
Division of Enforcement  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

All affidavits, reports and payments required to be filed with the Board of Nursing will be deemed filed upon receipt by the Department Monitor.

4. 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 Licensee'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 Licensee fails to timely submit payment of the costs as ordered or fails to comply with the ordered continuing education as set forth above, the Licensee's license (no. 32096-31) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Licensee has complied with payment of the costs or completion of the continuing education.

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

WISCONSIN BOARD OF NURSING

By:

Julia Nelson, RN  
A Member of the Board

Date

Sept. 13, 2012