

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

MEGHAN L. LOWERY, R.N.,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0002191

Division of Legal Services and Compliance¹ Case No. 12 NUR 298

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

Meghan L. Lowery, R.N.
1150 Greenway Terrace, Apartment 4
Brookfield, WI 53305

Wisconsin Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Department of Safety and Professional Services
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 disposition of this matter, subject to the approval of the Board of Nursing (Board). 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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Meghan L. Lowery, R.N. (dob: September 10, 1985) is licensed in the State of Wisconsin as a professional nurse, having license number 30-166262, first issued on February 11, 2009 and current through February 28, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1150 Greenway Terrace, Apartment 4, Brookfield, Wisconsin 53305.

2. At all times relevant to this action, Respondent was employed as a professional nurse employed at ProHealth Care in Brookfield, Wisconsin.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

3. On August 21, 2011, Respondent violated HIPAA regulations by accessing patient A's medical records without authorization.

4. On November 21, 2011, Respondent's employment was terminated by ProHealth Care following an investigation in which Respondent admitted to accessing patient A's medical records without authorization.

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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Meghan L. Lowery, R.N. engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(1).

3. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Meghan Lowery, R.N., is REPRIMANDED.

3. The professional nurse license issued to Meghan L. Lowery, R.N. (license number 30-166262) is LIMITED as follows:

a. Meghan L. Lowery, R.N. shall, within one year of the date of this order, successfully complete three (3) hours of education on the topic of HIPAA regulations and three (3) hours of education on the topic of professional accountability, offered by a provider pre-approved by the Board of Nursing's monitoring liaison, including taking and passing any exam offered for the courses.

b. Meghan L. Lowery, R.N. shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.

c. This limitation shall be removed from Respondent's license and Respondent will be granted a full, unrestricted license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of Three Hundred and Fifty Dollars (\$350.00).

5. Proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be mailed, faxed or delivered by Respondent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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 Respondent fails to timely submit payment of the costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 30-166262) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs and completion of the education.

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

WISCONSIN BOARD OF NURSING

by: Julia Nelson, RN
A Member of the Board

Date 12/6/12