

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

JUNE C. HATHORN, R.N.,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 000233 4.

Division of Legal Services and Compliance¹ Case No. 12 NUR 111

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

June C. Hathorn, R.N.
32 S. Huron Drive
Janesville, Wisconsin 53545

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 June C. Hathorn, R.N., (dob June 23, 1963) is licensed in the State of Wisconsin as a professional nurse, having license number 30-113927, first issued on September 24, 1993 and current through February 28, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 32 South Huron Drive, Janesville, Wisconsin 53545.

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

2. In August through October 2011, an audit was completed by Mercy Health System (Mercy) which found 37 instances (33 were narcotics) in which Respondent made a withdrawal from Pxyis without any documentation of the medication being administered to the patient. For 68 instances in which Respondent administered medication outside the medication administration guidelines, there was no documentation. Respondent manually bypassed scanning the appropriate identifiers prior to administering medication to the patient.

3. On December 9, 2011, Respondent was ordered by Mercy Health System to complete a random drug test in which she tested positive for Benzodiazepines. Respondent stated that she had a 2005 prescription for Diazepam and took the old pain medicine for a back spasm she experienced in 2011.

4. On December 21, 2011, Respondent was terminated from her employment due to her mishandling of medication.

5. In January 2012, Respondent self-reported her termination from Mercy to the Department.

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, Respondent June Hathorn, R.N., engaged in unprofessional conduct as defined in Wis. Admin. § N 7.04(2) by obtaining drugs other than in the course of legitimate practice or as otherwise prohibited by law.

3. Therefore, Respondent June Hathorn, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent June C. Hathorn, R.N., is REPRIMANDED.

3. The professional nursing license issued to Respondent June C. Hathorn, R.N., (license number 30-113927) to practice nursing in the State of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, is LIMITED as follows:

- a. Respondent, at her own expense, shall complete **four (4) hours** of pre-approved continuing education addressing safe medication administration and **four (4) hours** of pre-approved continuing education addressing documentation, within ninety (90) days of the date of this Order. Respondent is responsible for finding 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. For a period of at least two (2) years while working at least half-time as a nurse:

- i. Respondent shall not consume any controlled substance listed in Schedule I-IV without a valid prescription of an authorized prescriber, and for a valid medical purpose. Respondent shall, upon request of the Board or its designee, or the Department, or an investigator thereof (including a law enforcement officer, acting at the request of the Board or its designee, the Department, or an investigator thereof), submit a sample of Respondent's blood, urine, breath, and/or hair (as designated by the requesting person) for analysis, forthwith upon such request.
- ii. 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.
- iii. Respondent shall not work as a nurse or other health care provider in a setting in which Respondent has access to controlled substances.
- iv. Respondent may not work in a home health care, assisted living, hospice, pool nursing, or agency setting.
- v. Respondent shall practice only under the direct supervision of a licensed nurse or other licensed health care professional approved by the Board or its designee.
- vi. Respondent shall provide a copy of this Final Decision and Order and all other subsequent orders immediately to supervisory personnel at all settings where Respondent works as a nurse or care giver or provides health care, currently or in the future.
- vii. It is Respondent's responsibility to arrange for written reports from supervisors to be provided to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance, and shall include the number of hours of active nursing practice worked during that quarter. If a report indicates poor performance, the Board may institute appropriate corrective limitations.

3. After two (2) years of working as a nurse at least half-time, 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.

4. Within 120 days from the date of this Order, June C. Hathorn, R.N., shall pay COSTS of this matter in the amount of \$750.00.

5. Request of approval of courses, proof of successful course completion, quarterly reports and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent 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 quarterly reports, 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. 30-113927) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has submitted quarterly reports, proof of successful completion of the ordered education and payment of costs.

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

WISCONSIN BOARD OF NURSING

By: *Shirley Lowe*
A Member of the Board

3/14/13
Date