

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."
The status of an appeal may be found on court access websites at:
<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wsccl>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
BARBARA PHILLIPS, L.P.N.,	:	FINAL DECISION AND ORDER
RESPONDENT.	:	
	:	ORDER 0002347

Division of Legal Services and Compliance¹ Case No. 11 NUR 600

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

Barbara Phillips, L.P.N.
3212 NE River Road
Rochester, MN 55906

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 Barbara Phillips, L.P.N., (DOB December 27, 1957) is licensed in the State of Wisconsin as a practical nurse, having license number 31-310463 first issued on August 12, 2008 and expired on April 30, 2011. Respondent holds the

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

right, pursuant to Wis. Stat. § 440.08(3), to renew her license upon payment of a fee until April 30, 2016.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 4717 14 Ave. NW #1, Rochester, Minnesota, 55901.

3. On June 3, 2010, Respondent entered into a Stipulation and Consent Order with the Minnesota Board of Nursing in which she voluntarily surrendered her registration certificate to practice practical nursing. The Order was based on Respondent's practice issues, multiple terminations from nursing employment for practice issues and cognitive problems resulting from an early brain injury and epilepsy.

4. In an evaluation report dated January 4, 2012, Respondent's neurologist indicated his opinion that Respondent is able to return to nursing in a supervised manner, and if she demonstrates competency under supervision, then perhaps supervision could be eventually lifted. Respondent has been compliant with her treatment plan and the neurologist's recommendations.

5. On June 7, 2012, The Minnesota Board of Nursing rescinded the 2010 Order and reinstated Respondent's license to practice practical nursing and places the following limitations and conditions:

- a. Successful completion of a nurse refresher course with a supervised clinical component, which must include a medication administration component;
- b. A self-report submitted every three months;
- c. A report from a registered nurse who is her supervisor, to be submitted every three months;
- d. A report from any mental health treatment professional that Respondent consults with to be submitted every three months;
- e. A report from any health care professional whom Respondent consults for physical health, mental health or chemical dependency treatment to be submitted every three months;
- f. Enroll with the HPSP program and enter into a Participation Agreement within 60 days for a minimum of 12 months;
- g. If requested by the Board of HPSP, Respondent must undergo a mental health evaluation performed by a psychiatrist or licensed psychologist;
- h. Compliance with evaluator's recommendations for additional evaluation and treatment by the mental health evaluator;

- i. If requested by the Board of HPSP, Respondent must undergo a neuropsychological evaluation performed by a psychiatrist or licensed psychologist specializing in administration and interpretation of neuropsychological testing and evaluation;
- j. Respondent must provide any additional relevant information reasonably required by the Board;
- k. Licensee shall notify each present and future nursing supervisor of the June 7, 2012 Order and the June 3, 2010 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. By the conduct described in the Findings of Fact, Respondent Barbara Phillips, L.P.N., engaged in unprofessional conduct as defined in Wisconsin Admin. Code § N 7.04(7).
3. As a result of the above conduct, Respondent Barbara Phillips, L.P.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

IT IS ORDERED:

1. The right of Respondent Barbara Phillips, L.P.N. to renew her license (license no. 31-310463) to practice nursing in the state of Wisconsin upon payment of a fee, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, is INDEFINITELY SUSPENDED.
2. If Respondent ever makes an application to the Wisconsin Board of Nursing for any credential:
 - a. Respondent shall provide proof sufficient to the Board that she is in compliance with the Minnesota Board of Nursing Order dated June 7, 2012.
 - b. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.
3. Proof of compliance shall be sent by Licensee 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

3. Violation of any of the terms of this Order, or any subsequent related board 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.
4. This Order is effective on the date of its signing.

WISCONSIN BOARD OF NURSING

By: *Sutchen Lowe*
A Member of the Board

3/14/13
Date