

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

ALAINA D. LYNCH, R.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: ORDER 0002421

Division of Legal Services and Compliance¹ Case No. 12 NUR 226

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

Alaina D. Lynch, R.N.
741 Woodside Avenue
Ripon, Wisconsin 54971

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 Wisconsin 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 Alaina D. Lynch, R.N., (dob September 16, 1981) is licensed in the State of Wisconsin as a professional nurse, having license number 162646-30, first issued on April 16, 2008 and current through February 28, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 741 Woodside Avenue, Ripon, Wisconsin 54971.

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

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at a hospital located in Beaver Dam, Wisconsin.

3. Investigation of Respondent's controlled substances dispensations, following an audit between August 10, 2011 and August 29, 2011, found:

- a. Respondent dispensed 33 doses of controlled substances including hydrocodone, oxycodone, and hydromophone.
- b. Of the 33 doses dispensed, 6 doses were administered based on system documentation.
- c. There was no administration documentation for 27 of the 33 doses dispensed.
- d. All 33 doses were dispensed with Respondent's fingerprint.
- e. On multiple occasions, Respondent removed duplicate doses within short time spans.

4. Investigation report for September 3, 2011 through September 27, 2011 indicated:

- a. Respondent dispensed 73 doses of controlled substances including hydrocodone, oxycodone, and morphine.
- b. Of the 73 doses dispensed, 4 doses were administered to Patient(s).
- c. One of the 73 doses may have been administered. Charting for administration took place four hours after administration and was later cancelled.
- d. One dose was for 2 mg hydromorphone injection, documentation indicated that 1.5 mg was administered. There was no documentation of waste for the remaining .5 mg.
- e. There was no administration documentation for 67 of the 73 doses dispensed.
- f. 84% of doses were dispensed with Respondent's fingerprint.
- g. On several occasions Respondent dispensed medication for a patient when there was no medication order, which required Respondent to override the system.

5. Investigation report for October 2, 2011 through October 10, 2011 indicated:

- a. Respondent dispensed 40 doses of controlled substances including, hydrocodone, lorazepam and oxycodone.
- b. Of the 40 doses, 2.25 were administered based on system documentation.

- c. There was no administration documentation for 37 of the 40 doses dispensed.
 - d. On multiple occasions, doses Respondent dispensed had already been dosed by another nurse two hours earlier.
 - e. There were duplicate dispenses of the same drug for the same patient at the same time.
 - f. 73% of doses were dispensed with Respondent's fingerprint.
6. Respondent had a 94.5% compliance rate for non-controlled substances, which uses the same dispensation and administration systems as the controlled substances.
7. On March 12, 2013, Respondent pled no contest one count of Felony Obtaining Controlled Substances by Fraud and one count of Misdemeanor Possessing Illegally Obtaining Prescription, under Dodge County Case Number 2012CF000199.
8. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and 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 pursuant to Wis. Stat. § 227.44(5).
2. By the conduct described in the Findings of Fact, Alaina D. Lynch, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(1) by violating a law substantially related to the practice of professional nursing.
3. By the conduct described in the Findings of Fact, Alaina D. Lynch, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(2) by administering, supplying or obtaining any drug other than in the course of legitimate practice.
4. As a result of the above conduct, Alaina D. Lynch, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d).

ORDER

1. The attached Stipulation is accepted.
2. The SURRENDER of the license and privilege of Alaina D. Lynch, R.N., (license no. 162646-30) to practice nursing in the State of Wisconsin or under another state license pursuant to the Nurse Licensure Compact is hereby accepted.
3. In the event that Respondent petitions the Board of Nursing for re-licensure as a nurse in the future, the Board may enter an order denying such application without further notice

or hearing. 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.

4. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$650.00.

5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent 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. This Order is effective on the date of its signing.

WISCONSIN BOARD OF NURSING

by:

Julia Nelson, RN
A Member of the Board

5/9/13
Date