

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

JOY Y. MILLER, R.N.,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0002427

Division of Legal Services and Compliance¹ Case No. 12 NUR 469

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

Joy Y. Miller, R.N.
608 West Crossing Meadows Lane
Appleton, Wisconsin 54913

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 Joy Y. Miller, R.N., (dob April 29, 1953) is licensed in the State of Wisconsin as a professional nurse, having license number 75555-30, first issued on April 11, 1980 and current through February 28, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 608 West Crossing Meadows Lane, Appleton, Wisconsin 54913.

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 nursing home in Manawa, Wisconsin.

3. On or about June 29, 2012, Nurse A made notes in Patient A's chart including physical assessment of Patient A, as well as other statements related to Patient A's mental status.

4. On or about July 8, 2012, Nurse B made notes in Patient A's chart, which included statements related to Patient A's mental status.

5. On or about July 9, 2012, Respondent intentionally deleted records by Nurse A and B noted above due to their content. There was no record of the rationale for deleting these records charted.

6. Progress notes do not contain the discontinued notes. Also, discontinued notes are not part of the active patient's records.

7. No amended entries were made regarding Patient A.

8. Respondent admitted she did not know how to properly amend, correct, or edit electronic medical records.

9. 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, Joy Y. Miller, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code. § N 7.04(6).

3. As a result of the above conduct, Joy Y. Miller, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Joy Y. Miller, R.N., is REPRIMANDED.

3. The professional nurse license issued to Joy Y. Miller, R.N., (license number 75555-30) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

a. Within 90 days of the date of this Order, Respondent shall at her own expense, successfully complete five (5) hours of education on the topic of documentation offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.

b. Respondent 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 continuing 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 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, Joy Y. Miller, R.N., shall pay COSTS of this matter in the amount of \$500.00.

5. Request of approval of courses, proof of successful course completion 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 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. 75555-30) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs and submit proof of 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

5/9/13
Date