

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

CONNIE M. FOX, L.P.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: ORDER 0002429
:

Division of Legal Services and Compliance¹ Case No. 12 NUR 271

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

Connie M. Fox, L.P.N.
6715 Park Edge Drive, Apartment A
Madison, Wisconsin 53719

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 Connie M. Fox, L.P.N., (dob November 10, 1963) is licensed in the State of Wisconsin as a practical nurse, having license number 30059-31, first issued on December 1, 1989 and current through April 30, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 6715 Park Edge Drive, Apartment A, Madison, Wisconsin 53719.

2. At all times relevant to this proceeding, Respondent worked as a nurse at a family medical center (Center), located in Madison, Wisconsin.

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

3. On July 22, 2010, Respondent administered Hepatitis B immunization to 24-year-old Patient A. Respondent's documentation showed that half a dose was administered. Respondent stated that a full dose was administered, but that she made a documentation error.

4. On September 1, 2010, Respondent administered nasal Flu-Mist to 9-month-old Patient B. Flu-mist, a live attenuated virus, is not intended for children under 2 years old.

5. On September 22, 2010, 70-year-old Patient C presented for a pneumococcal injection. Respondent documented in EPIC that pneumococcal polysaccharide was given and to see Recin for documentation. Center had not used Recin for documentation for over a year. Upon review of Patient C's Wisconsin Immunization Registry (WIR), it was discovered that Respondent had recorded that the patient received Prevnar, a pneumococcal for children under five years of age.

6. On September 22, 2010, 69-year-old Patient D presented for blood pressure and diabetes checkup. Respondent documented in the WIR that she administered an inactivated influenza immunization. Further review revealed that the immunization lot number Respondent documented was of Flu-Mist, which is appropriate only for individuals between 2 and 49 years of age.

7. On September 22, 2010, Respondent documented that she administered influenza and pneumovax immunizations to 65-year-old Patient E. Respondent failed to document either immunization in the WIR, but wrote that she documented the administration in Recin.

8. On September 22, 2010, Respondent documented that she administered Tdap and pneumococcal vaccines to 46-year-old Patient F and wrote "see Recin for documentation." Respondent did not document the administration in WIR.

9. On October 7, 2010, 2-month-old Patient G presented for an examination and administration of the DTP/aP, Hepatitis B, Polio and Rotavirus vaccinations. Respondent administered Kinrix, a DTaP and Polio vaccination intended for children between ages 4 and 6 which also lacks Hepatitis B. Respondent should have administered Pediarix, the DTaP, Hepatitis B and Polio vaccine for children of 2, 4 and 6 months of age.

10. On October 14, 2010, 8-year-old Patient H presented for an examination. Respondent documented in the WIR that she administered both Fluzone and Flu-Mist during the visit. On November 5, 2010, Respondent deleted the Flu-Mist administration from WIR, which is an alteration of medical records.

11. On October 27, 2010, Respondent administered the influenza and Hib immunizations without a physician's order to 6-month-old Patient I.

12. On November 4, 2010, Patient J obtained lab tests in Urgent Care. On November 5, 2010, Patient J called Center to request the results of the lab tests. Respondent forwarded the request to Patient J's primary care provider, who informed Respondent that the lab results must be obtained directly from Urgent Care or from the primary care provider only after Patient J

presents for an examination (as Patient J's last examination was two years prior). Respondent later spoke to Patient J and informed her that the lab results showed "nothing concerning." Patient J in fact had abnormal lab results.

13. On December 10, 2010, Respondent was terminated from employment at Center.

14. 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, Connie M. Fox, L.P.N., demonstrated negligence as defined by Wis. Admin. Code § N 7.03(1)(b) by demonstrating a failure to maintain competency in practice and methods of nursing care.

3. By the conduct described in the Findings of Fact, Connie M. Fox, L.P.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(6) by falsifying or inappropriately altering patient records.

4. As a result of the above violations, Connie M. Fox, L.P.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b), (c) and (d).

ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER of the license and privilege of Connie M. Fox, L.P.N., (license no. 30059-31 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. In the event that Respondent petitions the Board of Nursing for re-licensure, Respondent shall pay to the Department of Safety and Professional Services the cost of this proceeding in the amount of \$600.00.

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:

Julie Nelson, RN
A Member of the Board

Date

5/8/13