

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	:	
	:	FINAL DECISION AND ORDER
KAREN E. JESTER, L.P.N.,	:	
RESPONDENT.	:	ORDER 0002597

Division of Legal Services and Compliance¹ Case No. 13 NUR 277

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

Karen E. Jester, L.P.N.
N4092 CTH Road E
Sullivan, WI 53178

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 Karen E. Jester, L.P.N., (dob February 3, 1960) is licensed in the State of Wisconsin as a practical nurse, having license number 26082-31, first issued on May 26, 1986 and current through April 30, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is N4092 CTH Road E, Sullivan, WI 53178.

2. At all times relevant to this proceeding, Respondent was employed as a practical nurse at a nursing home (Facility), located in Dousman, Wisconsin.

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

3. On or about April 27, 2013, Patient A was heard yelling for help. Staff members went to Patient A's room to find Patient A on the floor and Respondent yelling at Patient A.

4. Respondent is alleged to have told Patient A she was a dumbass and was retarded, threatened to have Patient A thrown out of Facility, held her fist in front of Patient A's face and slapped Patient A's wrist.

5. The Respondent neither admits or denies, but stipulates 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, Karen E. Jester, L.P.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(4) by abusing a patient by any single or repeated act of force, violence, harassment, deprivation, neglect or mental pressure which reasonable could cause physical pain or injury, or mental anguish or fear.

3. As a result of the above conduct, Karen E. Jester, L.P.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Karen E. Jester, L.P.N., is REPRIMANDED.

3. The practical nursing license issued to Respondent Karen E. Jester, L.P.N., (license number 26082-31) 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, at her own expense, shall complete six (6) hours of education on the topic of patient rights. Respondent is responsible for finding an 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 education to the Department Monitor.
- b. Respondent shall provide her nursing employers with a copy of this Order before engaging in any nursing employment.
- c. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall arrange for her nursing employer(s) to send to the Department

Monitor quarterly reports, reporting the terms and conditions of her employment and evaluating her work performance.

- d. Pursuant to Uniform Nurse Licensure Compact regulations, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation. This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and the regulatory board in the state in which Respondent proposes to practice.
- e. 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.
- f. After two (2) years of working at least half-time as a nurse, 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, Karen E. Jester, L.P.N., shall pay COSTS of this matter in the amount of \$200.00.

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. 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, fails to submit proof of successful completion of the ordered education as set forth above, or fails to comply with any of the terms of the order above, Respondent's license (no. 26082-31) 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, submit proof of completion of the education, submitted work reports and complies with all terms of the order above.

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

WISCONSIN BOARD OF NURSING

by: *Gretchen Lowe*
A Member of the Board

9/12/13
Date