

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

JOANNE M. PETERSON, R.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: ORDER 0002659

Division of Legal Services and Compliance¹ Case No. 13 NUR 226

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

Joanne M. Peterson, R.N.
1332 Duck Creek Court
Adams, WI 53910

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 Joanne M. Peterson, R.N., (dob February 23, 1956) is licensed in the State of Wisconsin as a professional nurse, having license number 87296-30, first issued on March 28, 1984 and current through February 28, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1332 Duck Creek Court, Adams, Wisconsin 53910.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at a medical center (Center), located in Mauston, Wisconsin.

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

3. On or about April 9, 2013, Patient A passed away.
4. After his death, Patient A's wife was having trouble breathing.
5. Respondent removed Patient A's albuterol sulfate inhaler from the Omnicell and gave it to Patient A's wife. Respondent did not have an order to give Patient A's wife, a non-patient, the inhaler.
6. Respondent placed Patient A's wife on oxygen, without an order.
7. Respondent failed to consult with a physician regarding the administration of oxygen or providing the inhaler to Patient A's wife.
8. On or about April 11, 2013, a physician found a handwritten note from Respondent stating that Patient B may have been converting to atrial fibrillation. Respondent failed to call the physician about the cardiac rhythm.
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, M. Peterson, R.N was negligent as defined by Wis. Admin. Code. § N 7.03(1)(c) by failing to observe the conditions, signs and symptoms of a patient, record them, or report significant changes to the appropriate person.
3. By the conduct described in the Findings of Fact, Joanne M. Peterson, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(5) by practicing beyond the scope of practice permitted by law.
4. As a result of the above conduct, Joanne M. Peterson, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b), (c) and (d).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Joanne M. Peterson, R.N., is REPRIMANDED.
3. The professional nursing license issued to Respondent Joanne M. Peterson, R.N., (license number 87296-30) 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, at her own expense, shall complete three (3) hours of education on the topic of scope of nursing practice. 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. For a period of at least two (2) years, 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 work only under direct supervision, and only in a work setting pre-approved by the Board. Respondent shall not work in a home health, assisted living, agency or pool position.
 - d. 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.
 - e. 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.
 - f. 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.
 - g. 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, Joanne M. Peterson, R.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

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, or fails to submit work reports as set forth above, Respondent's license (no. 87296-30) 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, submit proof of completion of the education and submitted work reports as ordered above.

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

WISCONSIN BOARD OF NURSING

by: Julia Nelson, RN
A Member of the Board

10/10/13
Date