

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

TAMERA R. PICKHARD, R.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

ORDER 3314

Division of Legal Services and Compliance Case No. 14 NUR 120

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

Tamera R. Pickhard
8445 Richfield Drive
Marshfield, Wisconsin 54445

Wisconsin Board of Nursing
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

PROCEDURAL HISTORY

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 Tamera R. Pickhard, R.N., (dob February 28, 1972) is licensed in the State of Wisconsin to practice professional nursing, having license number 127192-30, first issued on August 5, 1997 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 8445 Richfield Drive, Marshfield, Wisconsin 54445.

2. At all times relevant to this matter, Respondent was employed as a professional nurse at a hospital (Hospital) located in Marshfield, Wisconsin.

3. At some time during the period of January through March of 2014, Respondent injected herself with 75 units of insulin while on duty. The insulin had been prescribed for a patient who had been discharged and the medication should have been wasted per protocol at the Hospital. After injecting the insulin, Respondent reversed the actions of the insulin by eating food.

4. 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, Respondent engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(2)¹ by administering, supplying or obtaining any drug other than in the course of legitimate practice or as otherwise prohibited by law.

3. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. The professional nursing license issued to Tamera R. Pickhard, R.N., (license number 127192-30) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

a. For a period of at least two (2) years from the date of this Order:

- i. Respondent shall continue psychiatric and psychological care in accordance with delivery of cognitive behavior therapy with an approved psychiatrist and psychologist (Providers). The therapy shall be at Respondent's expense, by Providers approved by the Board or its designee, to address the specific treatment goals of managing symptomatology so that she maintains her fitness to practice nursing.
- ii. Respondent shall work with the Provider(s) at least three times a month for the first six months or as directed by the Provider(s), and then at least once a month or as directed by the Provider(s) until the Provider(s) notify/notifies the Board that Respondent has met the goals of therapy. The Provider(s) shall provide quarterly

¹ All references to Wis. Admin. Code § N 7.04 refer to the code as it existed before August 1, 2014.

reports to the Department monitor.

- iii. Respondent shall provide her nursing employer with a copy of this Order before engaging in any nursing employment.

3. 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.

4. After two (2) years from the date of this Order, 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.

5. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$450.00.

6. 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 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

7. 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 costs as ordered, Respondent's license (no. 127192-30) 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.

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

WISCONSIN BOARD OF NURSING

By:  J. Lynn Allen DNP, RN, BC
A Member of the Board

11-13-14
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TAMERA R. PICKHARD, R.N.,
RESPONDENT.

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STIPULATION

ORDER 3314

Division of Legal Services and Compliance Case No. 14 NUR 120

Respondent Tamera R. Pickhard, R.N., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Tamera R. Pickhard
Tamera R. Pickhard, R.N., Respondent
8445 Richfield Drive
Marshfield, Wisconsin 54449
License no. 127192-30

10/31/14
Date

Kim M. Kluck
Kim M. Kluck, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

11/4/14
Date