

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

BARBARA A. PLUMB, R.N., A.P.N.P.,
RESPONDENT.

:
:
:
: FINAL DECISION AND ORDER
: FOR REMEDIAL EDUCATION
:

0003398

Division of Legal Services and Compliance Case No. 12 NUR 534

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

Barbara A. Plumb
W699 Rolefson Road
Rubicon, WI 53078-9731

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 non-disciplinary 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 Barbara A. Plumb, R.N., A.P.N.P., (dob November 5, 1952) is licensed in the State of Wisconsin as a professional nurse, having license number 74414-30, first issued on September 1, 1979 and current through February 28, 2014. Respondent is also licensed in the State of Wisconsin as an advanced practice nurse, having license number 2557-33, first issued on January 13, 2005 and current through September 30, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is W699 Rolefson Road, Rubicon, Wisconsin 53078-9731.

2. This is the first case in which Respondent's conduct has been under consideration by the Board.

3. On or about October 3, 2012, Patient A was admitted to a health unit in Milwaukee, Wisconsin. Later, staff found Patient A lying on the floor of his room. Patient A stated he fell and was paralyzed. A doctor noted Patient A intermittently moved his left foot and did not find any signs of trauma.

4. On October 5, 2012, at 1335hrs, Respondent completed a note in the patient's chart. Under the heading, "problem", she wrote, "physical care". She further documented:

Pt refusing food/fluids. Reports he is paralyzed. Psych aware.
Labs last done on admit—will rev in AM for fluid
status/hydration states.

5. Respondent did not see Patient A and her supervisor did not expect her to see Patient A. She was responsible for checking the lab reports that another provider ordered earlier in the day.

6. Respondent's note should have indicated that she reviewed the lab reports and found them acceptable, and that she ordered additional labs if that occurred. The note should have specified that her observations were by report or should have otherwise conveyed that she did not have direct contact with the patient.

7. Respondent was unaware that Patient A had reported a fall. She was aware that a physician would be going to the unit later in the day.

8. Respondent neither admits nor denies the allegations. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

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).

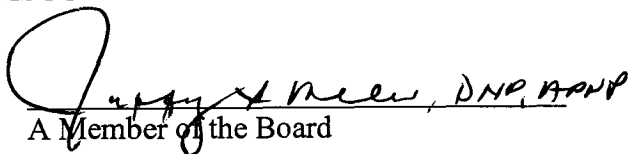
ORDER

1. The attached Stipulation is accepted.
2. Barbara A. Plumb, R.N., A.P.N.P., (license nos. 74414-30 and 2557-33) is hereby required to complete remedial education 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. Courses that are not preapproved may not be used to fulfill this requirement.

- 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.
 - c. 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.
 - d. 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. Requests for preapproval of courses and proof of course completion (Payable to the Department of Safety and Professional Services), shall be submitted to:
- 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
5. Violation of any of the terms of this Order, including failure to complete remedial education as required 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 for a violation of any of the terms of this Order. In the event Licensee fails to submit proof of successful completion of the ordered education as set forth above, the licenses of Barbara Plumb, R.N., A.P.N.P., may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs and completion of the education.
6. This Order is effective on the date of its signing.

WISCONSIN BOARD OF NURSING

by:


A Member of the Board

9-11-14
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

BARBARA A. PLUMB R.N.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0003398

Division of Legal Services and Compliance¹ Case No. 12 NUR 534

Respondent Barbara A. Plumb, 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.

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

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.

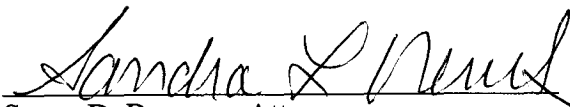
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Barbara A. Plumb, R.N., Respondent
W699 Rolefson Road
Rubicon, Wisconsin 53078
License no. 30-74414

7-22-14

Date



Susan D. Beaupre, Attorney
Division of Legal Services and Compliance
P.O. Box 8935
Madison, WI 53708-8935

7/23/14

Date