

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

SHARON K. WIGGINS, R.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

0003537

Division of Legal Services and Compliance Case No. 13 NUR 252

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

Sharon K. Wiggins, R.N.
1401 W. 143rd St.
Burnsville, MN 55306

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

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 Sharon K. Wiggins, R.N., (dob April 28, 1967) is licensed in the State of Wisconsin as a professional nurse, having license number 162748-30, first granted on April 29, 2008 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1401 West 143rd Street, Burnsville, Minnesota 55306.

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

3. On February 10, 2013, at 2055, Respondent dispensed 2 mg of lorazepam for Patient A from the Pyxis® machine; Respondent documented administering 1 mg and wasting 1.5 mg.

4. On February 15, 2013, at 1758, Respondent administered 2 mg of morphine to Patient B. The physician's order for Patient B called for 4 mg of morphine to be administered STAT (immediately). Respondent stated that she administered 2 mg of morphine to Patient B, despite the physician's order, because she did not feel comfortable administering 4 mg of morphine to Patient B. However, Respondent did not contact the physician or supervisor regarding her concern.

5. At 1906, that same day, Respondent dispensed an additional 2 mg of morphine for Patient B from the Pyxis® machine but did not document administering or wasting it.

6. Due to documentation errors, the Hospital drug tested Respondent. Results of the drug screen were negative.

7. 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. Pursuant to Wis. Stat. § 961.20(2)(er), lorazepam is a schedule IV controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(3).

3. Pursuant to Wis. Stat. § 961.16(2)(a)10., morphine is a schedule II controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(2).

4. By the conduct described in the Findings of Fact, Sharon K. Wiggins, R.N., violated Wis. Admin. Code § N 7.03(1)(b)¹ by acts or omissions demonstrating a failure to maintain competency in practice and methods of nursing care.

5. By the conduct described in the Findings of Fact, Sharon K. Wiggins, 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.

6. As a result of the above conduct, Sharon K. Wiggins, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b), (c) and (d)².

¹ All references to Wis. Admin. Code § N 7.03 and § N 7.04 reference the code as it existed prior to August 1, 2014.

² Wis. Stat. (2011-2012).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Sharon K. Wiggins, R.N., is REPRIMANDED.
3. The professional nursing license issued to Respondent Sharon K. Wiggins, R.N., (license number 162748-30) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:
 - a. Within ninety (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, six (6) hours of education on the topic of medication errors, and five (5) hours of education on the topic of professional accountability offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.
 - 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. 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.
 - c. 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. Within one (1) year from the date of this Order, Sharon K. Wiggins, R.N., shall pay COSTS of this matter in the amount of \$3,700.00.
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 7190, Madison, WI 53707-7190
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 submit work reports Respondent's license (no. 162748-30) 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, submitted proof of completion of the education and submitted work reports.

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

WISCONSIN BOARD OF NURSING

by:  Jeffrey A. New DNP, APRN
A Member of the Board

11-13-14
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SHARON K. WIGGINS, R.N.,
RESPONDENT.

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:
:
:
:

STIPULATION

0003537

Division of Legal Services and Compliance Case No. 13 NUR 252

Respondent Sharon K. Wiggins, 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. Respondent is represented by Attorney Marlene Garvis.

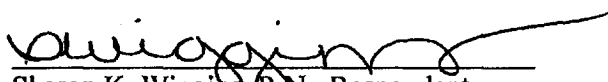
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives 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.

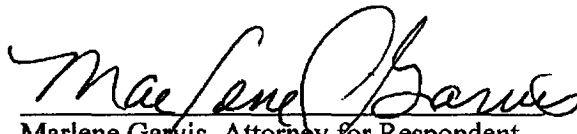
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, 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.

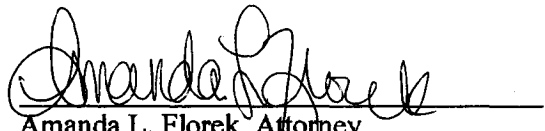
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Sharon K. Wiggins, R.N., Respondent
1401 W. 143rd St.
Burnsville, MN 55306
License no. 162748-30

10/20/14
Date


Marlene Garvis, Attorney for Respondent
Jardine, Logan & O'Brien, PLLP
8519 Eagle Point Boulevard, Suite 100
Lake Elmo, MN 55042

10/20/2014
Date


Amanda L. Florek, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

10/21/14
Date