

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

STEFANIE A. JONES, R.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: 0003301

Division of Legal Services and Compliance Case No. 14 NUR 249

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

Stefanie A. Jones, R.N.
102B Maria Ln.
Cottage Grove, WI 53527-8927

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 Stefanie A. Jones, R.N., (dob April 28, 1983) is licensed in the State of Wisconsin as a professional nurse, having license number 185057-30, first issued on April 11, 2012 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 102B Maria Lane, Cottage Grove, Wisconsin 53527-8927.

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

3. Respondent was assigned to the Post Anesthesia Care Unit (PACU) at the Hospital.

4. On March 13, 2014, the Hospital's pharmacy manager was notified that four (4) hydromorphone and six (6) morphine patient-controlled analgesia syringes (PCAs) were discovered in the AcuDose® medication dispensing machine (AcuDose®) with the tamper evident red caps off. These syringes were sent to the Hospital lab for testing.

5. The March 18, 2014 lab results revealed that none of the four (4) hydromorphone PCAs contained the expected drug and three (3) of the six (6) morphine PCAs did not contain the expected quantity of drug.

6. On April 9, 2014, three (3) hydromorphone PCAs were discovered in a different AcuDose® with their tamper evident red caps off. The PCAs were sent to an independent lab for testing. The results revealed that these PCAs were tampered with because they did not contain the expected dose of medication.

7. On April 11, 2014, the Hospital pharmacy pulled a random sample of morphine and hydromorphone PCAs (with lot numbers that matched those mentioned above) from both the NarcVault® in the central pharmacy and from the AcuDose® cabinets. These medications were sent to the Hospital lab for testing. The results revealed that no drug was detected in five (5) of the seven (7) PCAs.

8. On April 15, 2014, ten (10) morphine and four (4) hydromorphone PCAs were sent to an independent lab for testing. The results revealed that no drug was detected in three (3) of the morphine PCAs.

9. On April 18, 2014, as a result of an internal investigation Respondent was identified as the potential diverter of the above controlled medication.

10. On April 21, 2014, adhesive was found on tamper evident caps of PCAs. Hospital pharmacy management pulled a total of thirteen (13) PCAs (10 hydromorphone and 3 morphine) that were found to have adhesive on the tamper evident cap and sent them to an independent lab for testing. The test revealed that either none or very little of the expected drug was found in the thirteen (13) PCAs.

11. A total of 42 PCAs (33 hydromorphone and 9 morphine) tested contained less than one percent of the expected drug.

12. On April 25, 2014, Respondent was interviewed by the Hospital's surgical services supervisor, assistant director for surgical services, and the vice president of development for nursing and patient care services. During the interview:

- a. Respondent admitted to diverting morphine and hydromorphone from PCA syringes for personal use from AcuDose® cabinets in the PACU beginning in October 2013 and from other AcuDose® cabinets beginning in December 2013.

- b. Respondent explained that she would swap out the PCA syringes in the AcuDose® cabinet with syringes she obtained from the Hospital. Respondent twisted off the tamper evident caps and twisted them back on when replacing the syringe. Respondent emptied the syringe of the medication and replaced it with normal saline and put the syringe back in the AcuDose® cabinet.
- c. Respondent did not use gloves while tampering with the syringes.
- d. Respondent stated that she kept saline flushes in her pocket along with the syringes and would go to the bathroom to take out the drug.

13. A review of Respondent's AcuDose® log between January and April 2014 revealed the following:

- a. Respondent, using her fingerprint, badge ID, or login ID and password, accessed fourteen (14) different AcuDose® cabinets outside of the PACU on seventeen (17) different workdays and performed 57 inventories of controlled medications.
- b. Respondent, using her fingerprint, badge ID, or login ID and password, accessed controlled medications using the dispense or inventory function on the AcuDose® 65 times on days that she was not scheduled to work.
- c. Respondent, using her fingerprint, badge ID, or login ID and password, accessed controlled medications using the dispense or inventory function on the AcuDose® cabinets outside of the PACU area a total of 85 times on days she worked and days she did not work.

14. In May 2014, Hospital infection-control staff noticed a larger than average number of patients infected with the bacterium *serratia marcescens*.

15. Upon investigation, it was discovered that in five (5) patients the infectious agent was genetically identical and all five (5) patients had received pain medication from AcuDose® cabinets from which Respondent had diverted.

16. On March 13, 2014, one of the five patients that received pain medication from an AcuDose® cabinet from which Respondent diverted died from the *serratia marcescens* infection.

17. Respondent neither admits nor denies the Findings of Facts above; however, 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).

ORDER

1. The attached Stipulation is accepted.
2. The SURRENDER of the license and privilege of Stefanie A. Jones, R.N., (license no. 185057-30) to practice nursing in the State of Wisconsin or under another state license pursuant to the Nurse Licensure Compact is hereby accepted.
3. Respondent shall not petition the Board of Nursing for reinstatement for at least one (1) year from the date of this Order.
4. In the event Respondent petitions the Board of Nursing for reinstatement as a nurse in the future, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.
5. In the event that Respondent petitions for reinstatement of her nursing license, or applies for any license with the Department of Safety and Professional Services, she must immediately pay costs of this matter in the amount of \$2,350.00.
6. Respondent shall immediately return all indicia of licensure to the Department Monitor as the address below.
7. Payment of costs shall be made payable to 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

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

WISCONSIN BOARD OF NURSING

by:  DNP, APRN
A Member of the Board

8.13.15
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

STEPHANIE A. JONES, R.N.,
RESPONDENT.

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:
:

STIPULATION

000 3301

Division of Legal Services and Compliance Case No. 14 NUR 249

Respondent Stephanie A. Jones, 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 Nicholas Fairweather.

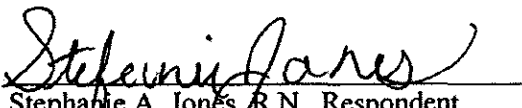
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives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

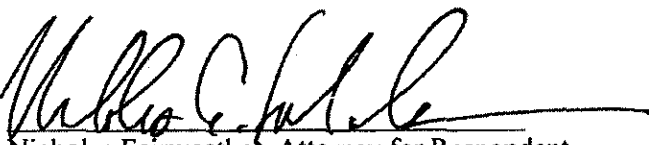
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's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


Stephanie A. Jones, R.N., Respondent
102B Maria Ln.
Cottage Grove, WI 53527-8927
License no. 185057-30

7-21-15
Date


Nicholas Fairweather, Attorney for Respondent
Hawks Quindel, S.C.
222 W. Washington Ave., Ste. 450
P.O. Box 2155
Madison, WI 53701-2155

7/21/15
Date


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

7/22/15
Date