

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

MARY K. HECKMAN, L.P.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

0003789

Division of Legal Services and Compliance Case No. 14 NUR 642

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

Mary K. Heckman, L.P.N.
P.O. Box 791
Genoa City, WI 53128

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 Mary K. Heckman, L.P.N., (dob April 10, 1951) is licensed in the State of Wisconsin as a practical nurse, having license number 21667-31, first issued on May 18, 1979 and current through March 30, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is P.O. Box 791, Genoa City, Wisconsin 53128.

2. At all times relevant to this proceeding, Respondent was employed as a practical nurse at a rehabilitation facility (Facility), located in Lake Geneva, Wisconsin.

3. On July 9, 2014, Resident A was admitted to the Facility for rehabilitation following foot surgery. The resident's medical history was significant for diabetes and chronic kidney disease. Resident A had a standing order for intravenous, intramuscular or sublingual glucagon (brandname GlucoGen®) if his blood sugar fell below 80. He did not have an order for oral glucose.

4. On July 15, 2014, at approximately 3:00 a.m., a certified nurse assistant (CNA) found Resident A to be unresponsive. The CNA advised Respondent, who was the only nurse on duty during night shifts, of this status change.

5. The Facility had run out of glucagon the previous day and had not yet received the replacement glucagon. Instead, Respondent gave Resident A oral glucose. Oral glucose should not be given to an unresponsive individual because of the risk of aspiration. Resident A remained unresponsive ten minutes later so Respondent gave him a second tube of oral glucose.

6. Ten minutes later, Resident A remained unresponsive and his blood sugar level was 47. Respondent telephoned the director of nursing (DON) to inform her of the situation and the DON advised her to wait two more minutes. Respondent did so and, during that time, Respondent developed gurgling in his respirations. Respondent called for an ambulance.

7. When paramedics arrived, they suctioned Resident A's airway to clear the glucose from it. At that time, the resident's blood sugar was 21. The paramedics transported him to the emergency room.

8. Resident A remained hospitalized for nine (9) days and was then discharged to another rehabilitation facility. Following the episode of hypoglycemia, Resident A suffered cognitive and speech deficits.

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, Respondent violated Wis. Admin. Code. § N 7.03(1)(b)¹ by an act or omission demonstrating a failure to maintain competency in practice and methods of nursing care.

3. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (c)².

¹ All references to Wis. Admin. Code § N 7.03 refer to the code as it existed before August 1, 2014.

² Wis. Stat. (2011-2012).

ORDER

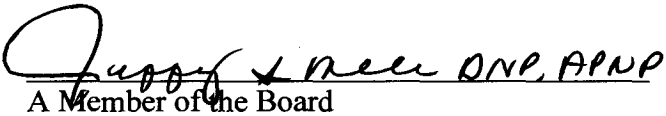
1. The attached Stipulation is accepted.
2. Respondent Mary K. Heckman, L.P.N., is REPRIMANDED.
3. The practical nursing license issued to Respondent Mary K. Heckman, L.P.N., (license number 21667-31) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:
 - a. Within 90 days of the date of this Order, Respondent shall at her own expense, successfully complete four (4) hours of education on the topic of diabetes and four (4) hours of education on the topic of delegation and scope of practice 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. During the period of this limitation, 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. 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 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$100.00.
5. Request of approval of courses, proof of successful course completion and 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

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 or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 21667-31) 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 and submitted proof of successful completion of the ordered education.

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

WISCONSIN BOARD OF NURSING

by: 
A Member of the Board

3-12-15
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MARY K. HECKMAN, L.P.N.,
RESPONDENT.

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STIPULATION

0003789

Division of Legal Services and Compliance Case No. 14 NUR 642

Respondent Mary K. Heckman, L.P.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.



Mary K. Heckman, L.P.N., Respondent
P.O. Box 791
Genoa City, WI 53128
License no. 21667-31

1/28/15
Date



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

2/2/15
Date