

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

ANNA R. JUCKEM, R.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

0004913

Division of Legal Services and Compliance Case No. 15 NUR 703

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

Anna R. Juckem, R.N.
W2377 County Road E
Chilton, WI 53014

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 Anna R. Juckem, R.N., (dob February 17, 1979) is licensed in the State of Wisconsin as a professional nurse, having license number 140617-30, first issued on February 7, 2002 and current through February 28, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is W2377 County Road E, Chilton, Wisconsin 53014.

2. At all times relevant to this proceeding, Respondent was employed as the director of nursing at a nursing and rehabilitation center (Center), located in Neenah, Wisconsin.

3. On November 3, 2015, a state surveyor with the Department of Health Services conducted a complaint survey due to receiving several complaints about the Center, including one allegation that the Respondent was storing narcotics in her office.

4. The state surveyor asked Respondent if she was storing narcotics in her office. Respondent denied she had narcotics in her office.

5. Respondent and another employee went back to Respondent's office and started to destroy the stored narcotics. They were punching medication out of the cards when the state surveyor returned to the office.

6. The state surveyor asked the Respondent again if she had narcotics in her office. This time the Respondent stated yes.

7. Respondent explained that the controlled medications were there because there had not been enough time to destroy them.

8. The state surveyor opened the drawer of the filing cabinet and noticed numerous medications. During a search of the cabinet, the state surveyor found over 521 controlled medication doses for 21 residents.

9. Staff and other residents had access to these unlocked controlled medications.

10. The Center did not have documentation showing when and who completed the destruction of controlled medications or the amount destroyed.

11. 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, Anna R. Juckem, R.N., engaged in unprofessional conduct as defined by Wis. Admin. Code § N 7.03(6)(c), by departing from or failing to conform to the minimal standards of acceptable nursing practice that may create unnecessary risk or danger to a patient's life, health, or safety. Actual injury to a patient need not be established.

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent Anna R. Juckem, R.N., is REPRIMANDED.
3. The professional license issued to Anna R. Juckem, R.N., (license number 140617-30) 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, at her own expense, shall complete three (3) hours of education on the topic of ethics and professionalism in nursing. Respondent is responsible for finding an appropriate course and submitting the course information to the Board or its designee for approval prior to taking the course and in sufficient time to obtain Board approval within the ninety (90) day time frame, taking into account the Board's meeting schedule. Respondent shall provide proof of completion of the education to the Department Monitor.
 - b. Respondent shall provide her nursing employer with a copy of this Order before engaging in any nursing employment. Respondent shall provide the Department Monitor with written acknowledgment from each nursing employer that a copy of this Order has been received. Such acknowledgment shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.
 - c. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall work only in a work setting pre-approved by the Board. Respondent shall not work in a home health, assisted living, agency, pool or as a nurse in a correctional setting.
 - d. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall arrange for her nursing employer(s) to send to the Department Monitor quarterly reports, reporting the terms and conditions of Respondent's employment and evaluating her work performance.
 - e. Pursuant to 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.
 - f. Respondent shall notify the Department Monitor of any change of nursing employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.
 - g. After two (2) years of working at least half-time as a nurse, 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.

4. Within 120 days from the date of this Order, Anna R. Juckem, R.N., shall pay COSTS of this matter in the amount of \$435.00.

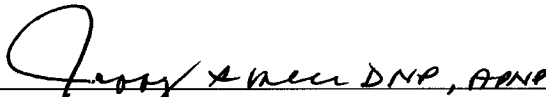
5. Request for approval of courses, proof of successful course completion, quarterly work reports, work site pre-approval and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

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 quarterly reports, fails to show this Order to employers, works in an unapproved setting, 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. 140617-30) 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 and has 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:  Jerry A. Allen DNP, APRN
A Member of the Board

9.8.16
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANNA R. JUCKEM, R.N.,
RESPONDENT.

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STIPULATION

0004913

Division of Legal Services and Compliance Case No. 15 NUR 703

Respondent Anna R. Juckem, 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.



Anna R. Juckem, R.N., Respondent
W2377 County Road E
Chilton, WI 53014
License no. 140617-30

7-8-16

Date



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

7/11/16

Date