

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

MARGARET A. MAUPIN, R.N., A.P.N.P.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

0004915

Division of Legal Services and Compliance Case No. 16 NUR 306

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

Margaret A. Maupin, R.N., A.P.N.P.
4015 Waha Road
Kalaheo, HI 96741

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 Margaret A. Maupin, R.N., A.P.N.P., (dob May 18, 1959) is licensed in the State of Wisconsin as a professional nurse, having license number 224982-30, first issued on August 24, 2015 and current through February 28, 2018.
2. Respondent Margaret A. Maupin, R.N., A.P.N.P., is also licensed as an advanced practice nurse prescriber, having license number 6750-33, first issued on December 8, 2015 and current through September 30, 2016.
3. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 4015 Waha Road, Kalaheo, Hawaii 96741.

4. On May 5, 2016, the Minnesota Board of Nursing reprimanded Respondent and imposed a civil penalty based on the following facts:

- a. Respondent did not have authorization to practice as an advanced practice registered nurse (APRN) from December 31, 2008 until September 24, 2015.
- b. On August 12, 2015, Licensee began working for a Minnesota based company as an APRN to begin learning the technological aspects of providing healthcare via the Internet. Licensee identified to her employer that she had an active Hawaii APRN license, but not an active Minnesota APRN license at the time she was hired on August 12, 2015; and the employer assisted Licensee in submitting her application for her Minnesota APRN license. Licensee was licensed in Minnesota as an RN, which licensure was reregistered as part of the process Licensee undertook to acquire her Minnesota APRN license.
- c. Between August 21, 2015 and September 15, 2015, Licensee saw six patients as an APRN, and electronically refilled a prescribed medication for one patient. Licensee erroneously practiced as an APRN in Minnesota between August 21, 2015 and September 15, 2015, receiving notice of this fact only on September 15, 2015, when Licensee received a mailed notice from the Board of Nursing that she was not current with Minnesota's APRN licensure requirements. After the error was discovered on September 15, 2015, Licensee had another Minnesota APRN supervise and approve all actions and plans with any patients she saw. Also, after September 15, 2015, Licensee's employer limited Licensee's access on the Electronic Medical Records (EMRs) so that she had access only to areas available to an RN. And, after September 15, 2015, and prior to September 24, 2015, when the Board of Nursing issued her an APRN license, Licensee saw two more patients online under the supervision of a Minnesota licensed APRN who signed off and wrote prescriptions for the patients seen by Licensee.

5. 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, Margaret A. Maupin, R.N., A.P.R.N., engaged in unprofessional conduct as defined by Wis. Admin. Code § N 7.03(1)(b), by having a license to practice nursing or a nurse licensure compact privilege to practice denied, revoked, suspended, limited, or having the credential holder otherwise disciplined in another

state, territory, or country. A certified copy of the record of the board is conclusive evidence of the final action.

3. As a result of the above conduct, Margaret A. Maupin, R.N., A.P.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 Margaret A. Maupin, R.N., A.P.R.N., is REPRIMANDED.
3. Within 120 days from the date of this Order, Margaret A. Maupin, R.N., A.P.R.N., shall pay COSTS of this matter in the amount of \$150.00.
4. 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:

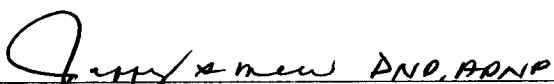
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. 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, Respondent's licenses (nos. 224982-30 and 6750-33) 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.

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

WISCONSIN BOARD OF NURSING

by:


A Member of the Board

9.8.16
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MARGARET A. MAUPIN, R.N., A.P.N.P.,
RESPONDENT.

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:
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STIPULATION

0004915

Division of Legal Services and Compliance Case No. 16 NUR 306

Respondent Margaret A. Maupin, R.N., A.P.N.P., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

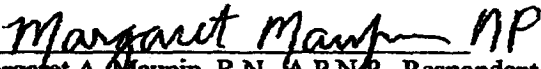
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives 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 S. 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.


Margaret A. Maupin, R.N., A.P.N.P., Respondent
4015 Waha Road
Kalaheo, HI 96741
License nos. 224982-30 and 6750-33

8/23/2016
Date


Marlene S. Garvis, Attorney for Respondent
Marlene S. Garvis, LLC
4597 Woodridge Road
Minnetonka, MN 55345

8.23.2016
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

8/24/16
Date