

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :
WENDY L. WINES, R.N., : FINAL DECISION AND ORDER
LICENSEE. : FOR REMEDIAL EDUCATION
:

0004922

Division of Legal Services and Compliance Case No. 16 NUR 077

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

Wendy L. Wines, R.N.
1605 Lighthouse Lodge Rd.
Eagle River, WI 54521-9012

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. Licensee Wendy L. Wines, R.N., (dob December 1, 1966) is licensed in the State of Wisconsin as a professional nurse, having license number 219795-30, first issued on January 20, 2015 and current through February 28, 2018. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1605 Lighthouse Lodge Road, Eagle River, Wisconsin 54521-9012.
2. At all times relevant to this proceeding, Licensee was employed as a professional nurse at a hospital (Hospital), located in Rhinelander, Wisconsin.
3. On December 18, 2015, Hospital pharmacy staff discovered discrepancies with Licensee's narcotic medication dispenses from the automatic dispensing machine (Pyxis®). For

example, Respondent would dispense medication, administer part of the amount dispensed and fail to document wasting the remaining portion of the medication.

4. Licensee voluntarily submitted to a reasonable suspicion drug screen and her employment was suspended pending the results of the drug screen.

5. On December 23, 2015, the drug screen returned negative for narcotics. Licensee returned to work.

6. After returning to work at the Hospital for several shifts, Respondent resigned due to family related matters.

7. During the Department investigation, Respondent admitted that she sometimes would forget to complete her documentation due to case load. Respondent understands the concerns with failure to complete documentation.

8. Respondent underwent a drug screen as part of a pre-employment requirement about a week later and also tested negative.

9. In resolution of this matter, Licensee consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Within six (6) months of the date of this Order, Wendy L. Wines, R.N., shall at her own expense take and successfully complete five (5) hours of education on the topic of documentation and three (3) hours of education on the topic of medication administration as follows:

- a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
- b. Licensee 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

education requirements that have been or may be instituted by the Board or Department.

3. Request for approval of courses and proof of successful course completion shall be sent by Licensee to the Department Monitor at the address below:

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

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

WISCONSIN BOARD OF NURSING

by: Jerry A. Neer 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

WENDY L. WINES, R.N.,
LICENSEE.

:
:
:
:
:

STIPULATION

0004922

Division of Legal Services and Compliance Case No. 16 NUR 077

Licensee Wendy L. Wines, 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. Licensee consents to the resolution of this
investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and
knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by
subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the
Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and
other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been
provided an opportunity to obtain legal counsel before signing this Stipulation. Licensee is
represented by Steve Lucareli.

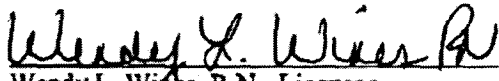
4. Licensee agrees to the adoption of the attached Final Decision and Order by the
Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the
attached Final Decision and Order without further notice, pleading, appearance or consent of the
parties. Licensee waives all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

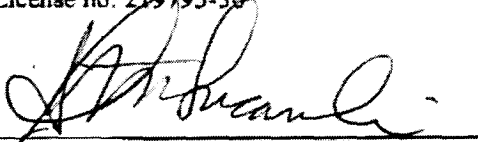
7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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



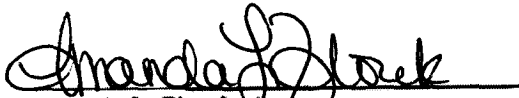
Wendy L. Wicks, R.N., Licensee
1605 Lighthouse Lodge Rd.
Eagle River, WI 54521-9012
License no. 219795-30

8/12/2016
Date



Steve Lucareli, Attorney for Licensee
Lucareli Law Offices
433 E. Sheridan St.
P.O. Box 1357
Eagle River, WI 54521

8/12/16
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

8/17/16
Date