

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

TREVOR E. CHESNUT, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**0004956**

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Division of Legal Services and Compliance Case No. 15 NUR 028

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

Trevor E. Chesnut, R.N.  
725 Green Bay Drive, Apartment 201  
Mayville, WI 53050

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 Trevor E. Chesnut, R.N., (dob March 3, 1985) is licensed in the State of Missouri as a professional nurse, having license number 2011037225, first issued on October 21, 2004 and current through April 30, 2017. Respondent is able to practice in Wisconsin pursuant to the Nurse Licensure Compact. Respondent's last known address is 725 Green Bay Drive, Apartment 201, Mayville, Wisconsin 53050.

2. Wisconsin (pursuant to Wis. Stat. § 441.50) and Missouri are party states of the multistate Nurse Licensure Compact, which provides for multistate licensure privileges and allows a nurse with a license from a "home state" to engage in the practice of nursing in all other party states, which are called "remote states."

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

4. On January 12, 2015, Respondent withdrew the following medications from the automated dispensing machine (MedDispense®) at the Hospital, but then failed to document the administration of the medications and failed to document that the remaining/unused portions were either wasted or returned:

- a. Patient A (alprazolam 0.25 mg removed; 0 documented as administered/wasted/returned);
- b. Patient A (oxycodone 10 mg removed; 0 documented as administered/wasted/returned);
- c. Patient B (oxycodone 15 mg removed; 0 documented as administered/wasted/returned);
- d. Patient C (Norco® 325 mg removed; 0 documented as administered/wasted/returned).

5. On January 13, 2015, Respondent withdrew the following medications from MedDispense® at the Hospital, but then failed to document the administration of the medications and failed to document that the remaining/unused portions were either wasted or returned:

- a. Patient A (alprazolam 0.25 mg removed; 0 documented as administered/wasted/returned);
- b. Patient A (morphine 2 mg removed; 0 documented as administered/wasted/returned);
- c. Patient B (oxycodone 15 mg removed; 0 documented as administered/wasted/returned);
- d. Patient D (Percocet® 2 tablets removed; 0 documented as administered/wasted/returned).

6. On January 14, 2015, Respondent withdrew the following medications from MedDispense® at the Hospital, but then failed to document the administration of the medications and failed to document that the remaining/unused portions were either wasted or returned:

- a. Patient A (alprazolam 0.25 mg removed; 0 documented as administered/wasted/returned);
- b. Patient A (morphine 2 mg removed; 0 documented as administered/wasted/returned);

- c. Patient B (oxycodone 15 mg removed; 0 documented as administered/wasted/returned);
- d. Patient E (Norco® 325 1 tablet removed; 0 documented as administered/wasted/returned).

7. On January 17, 2015, Respondent withdrew the following medications from MedDispense® at the Hospital, but then failed to document the administration of the medications and failed to document that the remaining/unused portions were either wasted or returned:

- a. Patient F (morphine 30 mg CR removed; 0 documented as administered/wasted/returned);
- b. Patient G (tramadol 50 mg 1 tablet removed; 0 documented as administered/wasted/returned);
- c. Patient E (Oxycontin® 10 mg removed; 0 documented as administered/wasted/returned).

8. 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. Pursuant to Wis. Stat. § 961.20(2)(a), alprazolam is a schedule IV controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(3).

3. Pursuant to Wis. Stat. § 961.16(2)(a)11., oxycodone is a schedule II controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(2).

4. Norco® contains hydrocodone. Pursuant to Wis. Stat. § 961.16(2)(a)7., hydrocodone is a schedule II controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(2).

5. Pursuant to Wis. Stat. § 961.16(2)(a)10., morphine is a schedule II controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(2).

6. Percocet® contains oxycodone. Pursuant to Wis. Stat. § 961.16(2)(a)11., oxycodone is a schedule II controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(2).

7. OxyContin® is a form of oxycodone. Pursuant to Wis. Stat. § 961.16(2)(a)11., oxycodone is a schedule II controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(2).

8. Pursuant to Wis. Stat. § 441.50(3)(c), every nurse practicing in a party state must comply with the state practice laws of the state in which the patient is located at the time care is rendered and the practice of nursing subjects a nurse to the jurisdiction of the licensing board in that party state.

9. Pursuant to Wis. Stat. § 441.50(3)(b), the Board may limit or revoke the multistate licensure privilege of any nurse to practice in the state and may take any other actions under their applicable state laws necessary to protect the health and safety of the citizens.

10. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § 7.03(6)(a) by failing to perform nursing with reasonable skill and safety.

#### ORDER

1. The attached Stipulation is accepted.

2. The privilege of Respondent Trevor E. Chesnut, R.N., to practice as a professional nurse in the State of Wisconsin pursuant to the Nurse Licensure Compact is **SUSPENDED** indefinitely.

3. The suspension of Respondent's privilege to practice as a professional nurse in the State of Wisconsin pursuant to the Nurse Licensure Compact may be removed upon Respondent providing proof, which is determined by the Board or its designee to be sufficient, that Respondent has paid the costs in this matter and has successfully completed five (5) hours of education on the topic of medication errors and five (5) hours of education on the topic of documentation.

4. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,600.00.

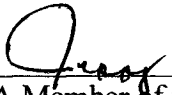
5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

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

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

WISCONSIN BOARD OF NURSING

by:  Jeffrey A. New DNP, RN  
A Member of the Board

10.13.16  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

TREVOR E. CHESNUT, R.N.,  
RESPONDENT.

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STIPULATION

0004956

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Division of Legal Services and Compliance Case No. 15 NUR 028

Respondent Trevor E. Chesnut, 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.

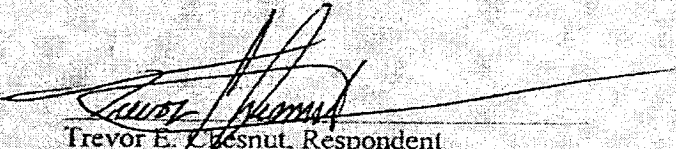
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

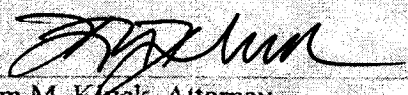
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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

  
Trevor E. Chesnut, Respondent  
725 Green Bay Drive, Apartment 201  
Mayville, WI 53050  
Missouri License no. 2011037225

9-30-16  
Date

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

9/30/16  
Date