

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

PAULA JOHNSON-RUFFIN, R.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

0004960

Division of Legal Services and Compliance Case Nos. 15 NUR 652 and 16 NUR 037

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

Paula Johnson-Ruffin, R.N.
18 N. Wickham Ct., Apt. 4
Madison, WI 53711

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 Paula Johnson-Ruffin, R.N., (dob January 22, 1959) is licensed in the State of Wisconsin as a professional nurse, having license number 99075-30, first issued on April 1, 1988 and current through February 28, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 18 North Wickham Court, Apartment 4, Madison, Wisconsin 53711.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at an assisted living facility (Facility), located in Madison, Wisconsin.

Prior Discipline

3. On May 14, 2015, Respondent, in case number 13 NUR 716, received a reprimand and was ordered to complete three (3) hours of education on the topic of skin care/pressure ulcer prevention and treatment and three (3) hours of education on the topic of nursing delegation for failing to perform incontinence care, remove a soaked brief or apply a barrier cream.

4. On August 28, 2015, the Board suspended Respondent's license for failing to complete the ordered education pursuant to Order number 3968.

15 NUR 652

5. On August 31, 2015, the Department Monitor mailed a notice of suspension to Respondent to her current address on record with the Department.

6. On December 4, 2015, Respondent left a voice message for the Department Monitor stating that she was unaware that her license had been suspended and that she had been experiencing a health issue.

7. On December 7, 2015, during a telephone conversation with the Department Monitor, Respondent confirmed that she had been practicing at the Facility during the time her license was suspended.

8. Respondent explained that she became aware of her suspended license after she was notified by a coworker. Respondent's employment was immediately terminated.

9. On December 10, 2015, Respondent successfully completed the ordered education in Order number 3968 and her license was returned to full, unrestricted status.

10. On December 16, 2015, Facility management confirmed Respondent worked Monday through Friday during normal business hours until December 4, 2015.

11. On January 20, 2016, Respondent, during a phone call with the Department Monitor, stated that her employment at the Facility was terminated on December 10, 2015.

12. Respondent suffers from a medical condition. The medical condition can be controlled with medication.

13. Respondent is currently being treated for the medical condition and her doctor reports that it is properly controlled. The doctor does not have a concern with Respondent's fitness to practice nursing.

16 NUR 037

14. On September 9, 2015, a Department of Health Services surveyor observed Resident A lying in bed with the head of the bed raised. Resident A is a high risk for falls, suffered a hip fracture from a recent fall and is bed-bound as a result of the fracture.

15. The surveyor noticed a fall safety mat underneath Resident A's bed and not on the floor next to the bed.

16. The surveyor summoned Respondent to Resident A's room and asked Respondent if anything was out of place.

17. Respondent told the surveyor that the fall safety mat wasn't where it should be and that Resident A should be repositioned.

18. Respondent left the room without moving the fall safety mat next to the bed or repositioning Resident A.

19. When asked why she left the room without moving the fall safety mat or repositioning Resident A, Respondent stated, "Yea, I did do that. Not sure why I left the room without taking care of it."

20. The patient did not fall; however, Respondent understands she should have immediately taken care of the patient in the event a fall did occur.

21. During the Department investigation, Respondent took 4.5 hours of education on the topic of preventable adverse events and 4.5 hours on the topic of delirium and dementia.

22. 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, Paula Johnson-Ruffin, R.N., engaged in unprofessional conduct as defined by Wis. Admin. Code § N 7.03(1)(g), by violating any term, provision, or condition of any order of the board.

3. By the conduct described in the Findings of Fact, Paula Johnson-Ruffin, 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.

4. As a result of the above conduct, Paula Johnson-Ruffin, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. The professional nursing license issued to Paula Johnson-Ruffin, R.N., (license number 99075-30) to practice nursing in the State of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are SUSPENDED for one month (1) month from the date of this Order.

3. The suspension is hereby stayed.

4. The professional nursing license issued to Paul Johnson-Ruffin, R.N., (license number 99075-30) and her privilege to practice nursing in the State of Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

- a. Respondent shall comply with all of Dr. Gervais, or subsequent treater, treatment and treater recommendations for her medical condition referenced above.
- b. Respondent shall provide a copy of this Order to the treater. Within fourteen (14) days of providing a copy of this Order to the treater, Respondent shall provide the Department Monitor with written acknowledgment from the treater that a copy of this Order has been received.
- c. Respondent shall arrange for the treater to send to the Department Monitor reports that state Respondent's progress and compliance with the treatment and recommendations. These reports should be sent every six (6) months.
- d. After eighteen (18) months of working at least half-time as a nurse, Respondent may petition the board for the modification or termination of this limitation. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit.

5. Pursuant to Uniform 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.

6. Within one (1) year from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,220.00.

7. All reports, requests for modification 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:

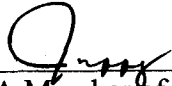
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services

P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

7. 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, fails to comply with treater recommendations, fails to show a copy of the order to her treater, fails to provide proof that the treater has viewed this order, or fails to submit reports from her treater, Respondent's license (no. 99075-30) 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, complied with treater recommendations, shown a copy of the order to her treater, provided proof that the treater has reviewed this order, and submitted treater reports.

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

WISCONSIN BOARD OF NURSING

by:  Jerry X New DNP, APRN
A Member of the Board

10.13.14
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

PAULA JOHNSON-RUFFIN, R.N.,
RESPONDENT.

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STIPULATION

0004960

Division of Legal Services and Compliance Case Nos. 15 NUR 652 and 16 NUR 37

Respondent Paula Johnson-Ruffin, 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. Respondent is represented by Attorney Patricia Epstein Putney.

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.

Paula Johnson Ruffin RN
Paula Johnson-Ruffin, R.N., Respondent
18 N. Wickham Ct.
Madison, WI 53711
License no. 99075-30

9-20-2016
Date

Patricia E. Putney
Patricia Epstein Putney, Attorney for Respondent
Bell, Moore & Richter, S.C.
345 West Washington Ave., Suite 302
Madison, WI 53703

9-21-16
Date

Amanda L. Florek
Amanda L. Florek, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison WI 53707-7190

9/21/16
Date