

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

DIANA M. LANGE-FONK, L.P.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

0805432

Division of Legal Services and Compliance Case No. 17 NUR 010

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

Diana M. Lange-Fonk, L.P.N.
21818 – 9th Street, Lot 33
Kansasville, WI 53139

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 Diana M. Lange-Fonk, L.P.N., (dob July 10, 1966) is licensed in the State of Wisconsin as a practical nurse, having license number 309569-31, first issued on February 15, 2008 and current through April 30, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 21818 – 9th Street, Lot 33, Kansasville, Wisconsin 53139.

2. At all times relevant to this proceeding, Respondent was employed as a practical nurse at a veterans home (Home), located in Union Grove, Wisconsin.

3. On January 3, 2017, the Director of Nursing was informed that Respondent had made two (2) medication errors involving two (2) patients the prior week.

4. On December 24, 2016, Respondent administered two (2) as needed (PRN) doses of Tylenol® #3 to Patient A approximately ninety minutes apart. The medical order stated that PRN doses were to be administered six (6) hours apart.

5. On December 25 and 29, 2016, Respondent administered a dose of tramadol to Patient B. The medical order for tramadol had been discontinued on December 15, 2016.

6. In both instances, Respondent failed to document that the doses were administered on the electronic medication administration record (EMAR). Respondent had signed out the medications on the individual controlled drug form affixed to the pill card.

7. Further investigation revealed that Respondent had signed out PRN analgesics and anxiolytics on the individual controlled drug form for six (6) other patients on the same unit but had not charted administration on the EMAR.

8. Upon further investigation, the number of medications that Respondent had signed out on the individual controlled drug cards and not documented as administered on the EMAR totaled 35 doses.

9. When questioned about the medication errors, Respondent responded "I must have forgotten," "I don't know," and "I don't know how to chart later in this computer system."

10. Respondent also stated that the Home had changed to a new computer system and she was having difficulty navigating some areas on the new system and one problem was back timing certain PRN medications.

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, Respondent violated 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.

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

ORDER

1. The attached Stipulation is accepted.
2. Respondent Diana M. Lange-Fonk, L.P.N., is REPRIMANDED.
3. The practical nursing license issued to Respondent Diana M. Lange-Fonk, L.P.N., (license number 309569-31) 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 five (5) hours of education on the topic of documentation and four (4) hours of education on the topic of medication errors. 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 under direct supervision, and 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. Respondent is working at Hospitality Nursing Rehabilitation in Kenosha, Wisconsin, which has been pre-approved as a work setting. All other work settings must be pre-approved by the Board.
 - e. 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.
 - f. 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.

- g. 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.
- h. 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, Respondent shall pay COSTS of this matter in the amount of \$375.00.

5. Request for approval of courses, proof of successful course completion, work reports, acknowledgements from employers of receiving a copy of this Order 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. In the event Respondent violates any term of this Order, Respondent's license (309569-31), or Respondent's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

WISCONSIN BOARD OF NURSING

by: 
A Member of the Board

9/14/17
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DIANA M. LANGE-FONK, L.P.N.,
RESPONDENT.

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STIPULATION

0005432

Division of Legal Services and Compliance Case No. 17 NUR 010

Respondent Diana M. Lange-Fonk, L.P.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.

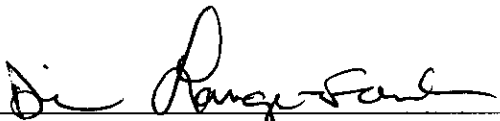
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

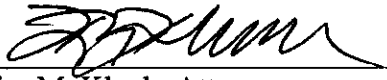
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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


Diana Lange-Fonk, L.P.N., Respondent
21818 – 9th Street, Lot 33
Kansasville, WI 53139
License no. 309569-31

7/30/17
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

8/4/17
Date