

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

MANDI L. STELLOH, L.P.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

0005913

Division of Legal Services and Compliance Case No. 16 NUR 702

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

Mandi L. Stelloh, L.P.N.
1152 Forest Court
Hubertus, WI 53044

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 Mandi L. Stelloh, L.P.N., (DOB October 14, 1979) is licensed in the State of Wisconsin as a practical nurse, having license number 306945-31, first issued on March 8, 2006, and current through April 30, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1152 Forest Court, Hubertus, Wisconsin 53044.

2. At all times relevant to this proceeding, Respondent was employed as a licensed practical nurse at an Assisted Living Facility (Facility), located in New Holstein, Wisconsin.

3. On July 13, 2016, Resident A was admitted to the Facility with a stage II pressure ulcer that was almost healed as well as a pressure ulcer that was unstageable. Weekly Wound Observation Reports (Observation Report) kept by Respondent only indicated a stage III pressure ulcer to Resident A's lower left buttock.

4. On August 11, 2016, Respondent noted on the Observation Report that the wound was deteriorating and that she sent a fax to Dr. B with an update.

5. On August 18, 2016, Respondent noted on the Observation Report that the wound was still deteriorating and that she sent a fax to Dr. B with an update.

6. On August 26, 2016, Resident A was admitted to a local hospital (Hospital) with a fever and progressive weakness. Further evaluation indicated urosepsis.

7. During Resident A's physical exam at the Hospital, two (2) pressure ulcers were noted on the right buttock; one stage II and one unstageable.

8. On September 2, 2016, the Department of Health Services (DHS) received a complaint regarding Resident A's care at the Facility and an investigation was initiated, including witness interviews.

9. On September 15, 2016, Dr. B denied being notified about the pressure ulcers during Resident A's forty-four (44) days at the Facility and denied being notified that Resident A was at the Hospital.

10. A nurse practitioner at the Hospital also denied being contacted about Resident A's pressure ulcers.

11. Former Caregiver G reported to DHS that Respondent was told multiple times about the pressure ulcer and that it "was getting bigger and bigger and it was so big and black. There was a bad odor to it too." Caregiver G reported that Respondent said, "it doesn't pay to send [Resident A] out to see the doctor because they won't do anything for him."

12. When DHS requested medical records, including an assessment of Resident A's known pressure ulcers, the Facility could not locate any assessments related to pressure ulcers or any other assessments.

13. 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, Mandi L. Stelloh, L.P.N., violated Wis. Admin. Code § N 7.03(6)(a), by failing to perform nursing with reasonable skill and safety.

3. By the conduct described in the Findings of Fact, Mandi L. Stelloh, L.P.N., 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. Actual injury to a patient need not be established.

4. As a result of the above conduct, Mandi L. Stelloh, L.P.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Mandi L. Stelloh, L.P.N., is REPRIMANDED.

3. The practical nurse license issued to Mandi L. Stelloh, L.P.N., (license number 306945-31) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact and the Enhanced Nurse Licensure Compact, are LIMITED as follows:

- a. Within ninety (90) days of the date of this Order, Respondent shall at her own expense, successfully complete four (4) hours of education on the topic of wound care and assessment offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.
- b. Respondent 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 continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
- c. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Pursuant to Nurse Licensure Compact and the Enhanced 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.

5. Within 120 days from the date of this Order, Mandi L. Stelloh, L.P.N., shall pay COSTS of this matter in the amount of \$693.00.

6. Request for approval of courses, proof of successful course completion 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:

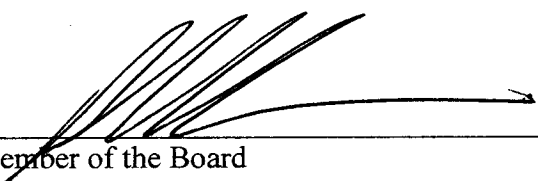
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

7. In the event Respondent violates any term of this Order, Respondent's license (306945-31), 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.

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

WISCONSIN BOARD OF NURSING

by:


A Member of the Board

10/11/18
Date

RECEIVED

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

AUG 31 2018

DEPT OF SAFETY & PROFESSIONAL SERVICES
DIV OF LEGAL SERVICES & COMPLIANCE

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MANDI L. STELLOH, L.P.N.,
RESPONDENT.

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STIPULATION

0005913

Division of Legal Services and Compliance Case No. 16 NUR 702

Respondent Mandi L. Stelloh, 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.

Mandi Stelloh
Mandi L. Stelloh, L.P.N., Respondent
1152 Forest Court
Hubertus, WI 53044
License no. 306945-31

8-20-18
Date

Alicia M. Nall
Alicia M. Nall, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison WI 53707-7190

9/11/18
Date