

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

ANNA M. QUINTANA, R.N.,
RESPONDENT.

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:
:
:
:

FINAL DECISION AND ORDER

0006102

Division of Legal Services and Compliance Case No. 17 NUR 423

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

Anna M. Quintana
385 County Highway A
Unit #3
Cambridge, WI 53523

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 Anna M. Quintana, R.N., (D.O.B.: November 8, 1976) is licensed in the state of Wisconsin as a registered nurse, having license number 142907-30, first issued on November 5, 2002, and current through February 28, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 385 County Highway A, Unit 3, Cambridge, Wisconsin 53523.

2. At all times relevant to this proceeding, Respondent was employed as a registered nurse at a rehabilitation center (Center), located in Stoughton, Wisconsin.

3. On July 19, 2017, the night nurse, Nurse A, was counting medication with the day nurse, Nurse B, when they discovered that Resident A had one (1) OxyContin® 40mg tablet missing from their medication card.

4. Resident A was scheduled to receive one (1) OxyContin® three (3) times a day at 2:00 a.m., 8:00 a.m., and 4:00 p.m., and twice a day as needed (PRN).

5. Nurse A and B discovered that Respondent signed out the OxyContin® from two (2) different cards for the same shift, but the medication was to only be administered once per shift.

6. On July 19, 2017, the Director of Nursing (D.O.N.) interviewed Nurse A. Nurse A reported that she counted the medication in the lock box when she came in and the card of OxyContin® had 28 pills, when it should have had 29.

7. Nurse A indicated to the D.O.N. that the extra dose given was not from the first medication card, but from a card in the back.

8. Respondent administered one (1) OxyContin® from one medication card at 6:00 p.m., and another OxyContin® tablet from a different medication card at 6:15 p.m.

9. Nurse A gave Resident A an OxyContin® 40mg and a Percocet®, and she noted that she used the correct medication card.

10. The Medication Administration Report (MAR) and Controlled Substance Book were reviewed and found that Respondent gave Resident A OxyContin® 40 mg twice on her shift on four (4) other occasions, and she signed out the medication twice on days she did not work.

11. On July 19, 2017, the D.O.N. interviewed Respondent who indicated she gave Resident A two (2) tablets that evening. She claimed that the medication book was confusing and cards are not together and that is the reason she administered the tablets from different cards.

12. Respondent admitted that she knew she needed to correctly document medications when administering them, but she had a lot of stuff going on and therefore did not correctly document.

13. Respondent indicated that she entered the wrong date on incidents where she is shown to have administered medications on days when she was not working.

14. The Center was unable to determine if Patient A was given the extra doses of OxyContin®.

15. Respondent's employment was terminated by the Center.

16. 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, Anna M. Quintana, R.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.

3. By the conduct described in the Findings of Fact, Anna M. Quintana, R.N., violated Wis. Admin. Code § N 7.03(8)(d), by having an error in prescribing, dispensing, or administering medication.

4. By the conduct described in the Findings of Fact, Anna M. Quintana, R.N., violated Wis. Admin. Code § N 7.03(8)(e), by obtaining, possessing or attempting to obtain or possess a drug without lawful authority.

5. 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).

7. As a result of the above conduct, Anna M. Quintana, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Anna M. Quintana, R.N., is REPRIMANDED.

3. The registered nurse license issued to Anna M. Quintana, R.N., (license number 142907-30) and her privilege to practice in Wisconsin pursuant to 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 medication dispensing, five (5) hours of education on the topic of documentation, and four (4) hours of education on the topic of ethics, 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 Enhanced Nurse Licensure Compact regulations, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation.

5. Within 120 days from the date of this Order, Anna M. Quintana, R.N., shall pay COSTS of this matter in the amount of \$832.38.

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

You may also submit this information online via DSPS' Monitoring Case Management System, here:

<https://app.wi.gov/DSPSMonitoring>

7. In the event Respondent violates any term of this Order, Respondent's license (142907-30), 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: *Pamela Kuchta, AN*
A Member of the Board

3/14/19
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANNA M. QUINTANA, R.N.,
RESPONDENT.

STIPULATION

0006102

Division of Legal Services and Compliance Case No. 17 NUR 423

Respondent Anna M. Quintana, 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.

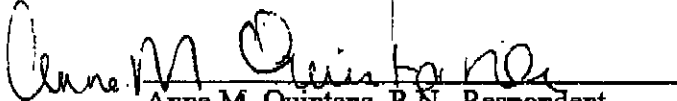
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

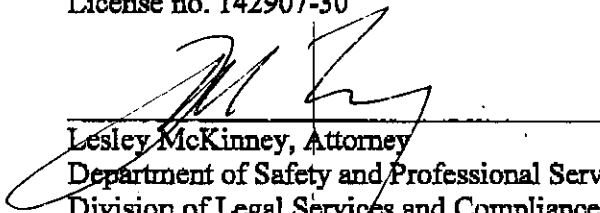
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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


Anna M. Quintana, R.N., Respondent
385 County Highway A
Unit #3
Cambridge, WI 53523
License no. 142907-30

3-8-19
Date


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

3/11/19
Date