

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 :
: FINAL DECISION AND ORDER
JAMIE L. BAHLING, R.N., :
RESPONDENT. :

16229

Division of Legal Services and Compliance Case No. 17 NUR 157

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

Jamie L. Bahling, R.N.
8855 W. Forest Home Ave.
Greendale, WI 53129-1062

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 Jamie L. Bahling, R.N., (DOB: September 22, 1982), is licensed in the state of Wisconsin as a registered nurse, having license number 197808-30, first issued on September 20, 2013, and current through February 28, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 8855 West Forest Home Avenue, Greendale, Wisconsin 53129-1062.

2. At all times relevant to this proceeding, Respondent was employed as a registered nurse with a home health agency (Agency), located in West Allis, Wisconsin.

3. The Director of Nursing (DON) of the Agency conducted a chart review of Respondent's patients and found deficiencies in her charting.

4. Respondent reported visiting Patient A on January 4, 2017, January 11, 2017, and February 1, 2017. The DON discovered that the vital signs notes Respondent documented in Patient A's file were identical for all three (3) visits, including unique issues with a supply delivery.

5. Respondent reported visiting Patient B on October 19, 2016, and October 26, 2016. During the chart review, the DON noticed that all the computer printed documented information, including vital signs, fasting blood sugars, assessments, narrative summaries, and typographical errors were identical for both visits.

6. Patient B reported to the DON that Respondent had not visited weekly per the Home Health Certificate and Plan of Care. Respondent billed for these visits and later admitted to not making some of the documented visits and checking in with Patient B by phone instead.

7. Patient B's Plan of Care called for frequent education on the Patient's ADA diet; however, all of Respondent's notes indicate Patient B is on a low sodium diet and all spaces for teaching under "Diabetic Mgt" were left blank.

8. Respondent documented visits with Patient C on December 28, 2015, December 29, 2015, December 30, 2015, December 31, 2015, and January 2, 2016. The notes documented on these dates had the same unique markings and identical information. Each visit documented "WNL for Patient" for the assessment of the integumentary system despite the presence of a Stage IV pressure ulcer consistently described as having yellow slough, no granulation tissue present, and yellow, odorous drainage.

9. A Plan of Care and weekly nursing notes were reviewed for Patient D. Each note exhibited identical markings and internally inconsistent reporting given the patient's assessed conditions and orders.

10. Respondent resigned from her position at the Agency.

11. Respondent has reported a mental health issue which has affected her ability to make the visits and properly complete paperwork.

12. Pursuant to a valid Release of Information, Respondent's treating mental health provided updated the Department on Respondent's mental health issue. The condition has been treated and is reported to be under control.

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, Jamie L. Bahling, R.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, Jamie L. Bahling, R.N., violated Wis. Admin. Code § N 7.03(6)(g), by unable to practice safely by reason of psychological impairment or mental disorder.

3. As a result of the above conduct, Jamie L. Bahling, 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 Jamie L. Bahling, R.N. is REPRIMANDED.

3. The registered nursing license issued to Jamie L. Bahling, R.N., (license number 197808-30), 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 twelve (12) hours of education on the topic of ethics in nursing 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 the ordered education.

4. The registered nursing license issued to Jamie L. Bahling, R.N., (license number 197808-30), and her privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact, is further LIMITED as follows:

- a. Within thirty (30) days from the date of this Order, Respondent shall have, at Respondent's own expense, undergone an assessment by a mental health provider experienced in evaluating health care practitioners' fitness for duty.

- b. The provider performing the assessment must not have treated Respondent and shall have been approved by the Board, with the opportunity for the Division of Legal Services and Compliance to make its recommendation, prior to the evaluation being performed; and,
- c. Within fifteen (15) days of the completion of the assessment, a written report regarding the results of the assessment shall be submitted to the Department Monitor at the address below.
- d. Based on the assessment, the Board, or its designee, may require additional limitations on Respondent's license in a manner to address any concerns the Board has as a result of the conduct set out in the findings of fact and to address any recommendations resulting from the assessment, including, but not limited to:
 - i. Psychotherapy, at Respondent's expense, by a therapist approved by the Board or its designee, to address specific treatment goals, with quarterly reports to the Board by the therapist; and/or,
 - ii. Additional professional education in any identified areas of deficiency; and/or,
 - iii. Restrictions on the nature of practice or practice setting or requirements for supervision of practice, by a professional approved by the Board, with quarterly reports to the Board by the supervisor.

5. The registered nursing license issued to Jamie L. Bahling, R.N., (license number 197808-30), and her privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact, is further LIMITED as follows:

- a. 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.
- b. 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.

- c. 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.
- d. 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.
- e. After two (2) years 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.

6. Pursuant to the Enhanced Nurse Licensure Compact, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation.

7. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,671.00.

8. 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 submit this information online via the Department's Monitoring Case Management System at:

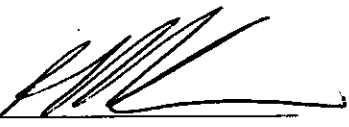
<https://app.wi.gov/DSPSMonitoring>

7. In the event Respondent violates any term of this Order, Respondent's license (197808-30), 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:

_____ 
A Member of the Board

_____ 6/13/19
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JAMIE L. BAHLING, R.N.,
RESPONDENT.

STIPULATION

76229

Division of Legal Services and Compliance Case No. 17 NUR 157

Respondent Jamie L. Bahling, 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.

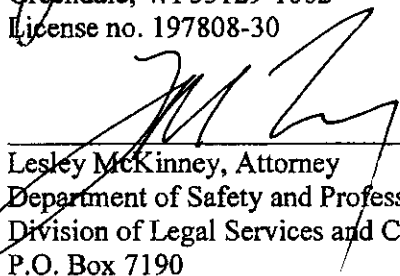
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Jamie L. Bahling, R.N., Respondent
8855/W. Forest Home Ave.
Greendale, WI 53129-1062
License no. 197808-30

5-30-19
Date



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

5/31/19
Date