

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

CLAIRE A. RISTOW-SEIB, R.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

6233

Division of Legal Services and Compliance Case No. 18 NUR 071

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

Claire A. Ristow-Seib
1715 Nakomis Avenue
LaCrosse, WI 54603

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 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 Claire A. Ristow-Seib, R.N., (DOB: January 24, 1957) is licensed in the state of Wisconsin as a registered nurse, having license number 151038-30, first issued on July 15, 2005, and with registration current through February 28, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1715 Nakomis Avenue, La Crosse, WI 54603.

2. All times relevant to this proceeding Respondent was employed as a registered nurse at a health care facility (Facility), located in Wisconsin.

3. On February 7, 2018, the Department received a complaint alleging Respondent had misplaced one tramadol tablet and four hydrocodone tablets.

4. On January 21, 2018, at approximately 10:04 AM, Respondent accessed one tramadol tablet and four hydrocodone tablets, for the evening shift, due to an malfunctions with the Talyst medication control console. This occurred while Respondent was trying to access medications for one of her patients.

5. Respondent stated that she took the medications to the charge desk behind the nurses station to document the issue and set the medications down at the desk.

6. Respondent indicated that while documenting the issue with the Talyst, she was reminded she had not given her patient the medication she had originally tried to access and went to correct this issue. Respondent stated she experiences several more interruptions and left the medications on the charge desk/nurses station.

7. On January 21, 2018, at approximately 3:00 PM, the Facility's PM nurse, Nurse A, was alerted that the PM medication was missing one tramadol tablet and four hydrocodone tablets.

8. Respondent was contacted regarding the missing medications and a search for the medication occurred. Respondent came back in to assist in searching for the medications.

9. The entire area around the charge desk/nurses station was searched by a number of the staff, including Respondent, but the one tramadol tablet and four hydrocodone tablets were not found.

10. The only person who had reported seeing the tablets on the charge nurses desk was a Health Unit Coordinator orientee, Person A.

11. On January 22, 2018, Respondent's employment was terminated.

12. On January 30, 2018, Respondent voluntarily underwent a 90-day hair follicle drug test and the results came back negative.

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, Claire A. Ristow-Seib, R.N., violated Wis. Admin. Code § N 7.03(6)(a) by failing to perform nursing with reasonable skill and safety.

3. As a result of the above violations, Claire A. Ristow-Seib, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Claire A. Ristow-Seib, R.N., is REPRIMANDED.
3. The Registered Nurse license issued to Claire A. Ristow-Seib (license number 151038-30) is LIMITED as follows:
 4. Within 90 days of the date of this Order, Respondent shall successfully complete three hours of education on the topic of medication pass, and/or medication management/documentation, offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.
 5. Respondent shall submit proof of successful completion of the ordered 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.

This limitation shall be removed from Respondent's license AND
RESPONDENT WILL BE GRANTED A FULL, UNRESTRICTED
LICENSE after satisfying the Board or its designee that Respondent has
successfully completed all of the ordered education.
6. Within 90 days from the date of this Order, Claire A. Ristow-Seib shall pay COSTS of this matter in the amount of \$589.04.
7. Request for approval of courses and proof of successful course completion and payment of costs (made payable to DSPS) 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>

8. In the event Respondent violates any term of this Order, Respondent's license (no. 151038-30), 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. 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

CLAIRE A. RISTOW-SEIB, R.N.,
RESPONDENT.

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STIPULATION

06233

Division of Legal Services and Compliance Case No. 18 NUR 071

Respondent Claire A. Ristow-Seib, 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.

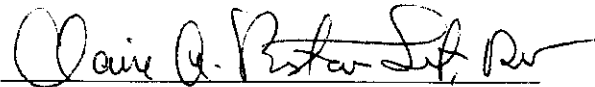
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

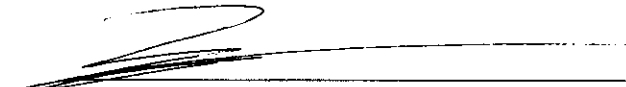
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Claire A. Ristow-Seib, Respondent
1715 Nakomis Avenue
La Crosse, WI 54603
License no. 151038-30

5/12/19
Date



Zachary Hetfield, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

5/13/19
Date