

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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APR 12 2019

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

STEPHANIE N. BYLSMA, L.P.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0006408

Division of Legal Services and Compliance Case No. 18 NUR 040

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

Stephanie N. Bylsma, L.P.N.
815 Eastown Manor
Elkhorn, WI 53121

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 Stephanie N. Bylsma, L.P.N., (DOB November 11, 1976) is licensed in the state of Wisconsin as a practical nurse, having license number 305686-31, first issued on February 3, 2005 and current through April 30, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 815 Eastown Manor, Elkhorn, Wisconsin 53121.

2. At all times relevant to this proceeding, Respondent was employed as a practical nurse with a home health care facility (Facility), located in Madison, Wisconsin.

3. On December 19, 2017, Patient A's spouse issued a complaint to the Facility stating that Respondent never arrived to conduct a scheduled visit between 3:00-4:00 p.m. and never returned their calls.

4. The Facility's Manager (Manager) followed up with Respondent regarding the complaint. Respondent indicated she did conduct the visit while Patient A's spouse was not present and documented the visit in Patient A's medical record.

5. On December 26, 2017, a second complaint was called in to the Facility by Patient B's family, stating that Respondent missed a scheduled visit on December 23, 2017. Respondent's documentation indicated that at the same time she was visiting Patient B, the patient was receiving treatment at a local urgent care.

6. On December 27, 2017, Respondent was called to attend an investigatory meeting with the Manager and a Human Resources representative. Respondent denied misrepresenting the medical records and stated she had conducted the home care visits on the dates in question.

7. During the meeting, the Manager presented Respondent with the company cell phone records showing that Respondent was in Elkhorn, Wisconsin during the scheduled visit with Patient A, instead of Avalon, Wisconsin where the visit was to have taken place. Respondent then admitted that she failed to conduct the home health care visit.

8. The Manager reviewed the company cell phone records with Respondent for the second complaint made regarding Patient B. The records showed that Respondent was at her home in Elkhorn, Wisconsin at the time she documented she was conducting a home visit in Beloit, Wisconsin.

9. Respondent then admitted two additional instances where she misrepresented visits made to patients and did not conduct the home visits.

10. Following the interview on December 27, 2017, Respondent was terminated from the Facility.

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, Stephanie N. Bylsma, L.P.N., violated Wis. Admin. Code § N 7.03(5)(a), by falsifying or inappropriately altering reports, patient documentation, agency records, or other health documents.

3. As a result of the above conduct, Stephanie N. Bylsma, 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 Stephanie N. Bylsma, L.P.N., is REPRIMANDED.
3. The practical license issued to Stephanie N. Bylsma, L.P.N., (license number 305686-31) 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 six (6) 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. 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 in 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 the limitation. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit.
4. Pursuant to the 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, Stephanie N. Bylsma, L.P.N., shall pay COSTS of this matter in the amount of \$350.00.

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

You may also 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 (305686-31), 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

9/17/19

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

STEPHANIE N. BYLSMA, L.P.N.,
RESPONDENT.

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STIPULATION

ORDER 0006408

Division of Legal Services and Compliance Case No. 18 NUR 040

Respondent Stephanie N. Bylsma, 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.

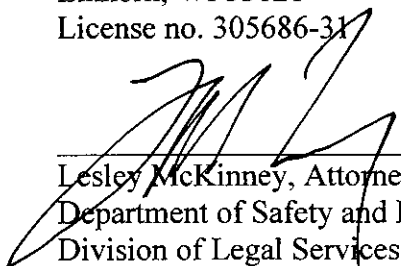
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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


Stephanie N. Bylsma, L.P.N., Respondent
815 Eastown Manor
Elkhorn, WI 53121
License no. 305686-31

8/11/19
Date


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

8/15/19
Date