

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

ELIZABETH K. STEVENSON, R.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: **ORDER 0006535**

Division of Legal Services and Compliance Case No. 18 NUR 203

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

Elizabeth K. Stevenson, R.N.
1021 Gilson Street
Madison, WI 53715

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 Elizabeth K. Stevenson, R.N. (DOB: May 11, 1971) is licensed in the state of Wisconsin as a registered nurse, having license number 155081-30, first issued on June 9, 2006, and current through February 28, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1021 Gilson Street, Madison, Wisconsin 53715.

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

3. Patient A, a female born in 1947, has known Respondent since Respondent was a child. Both describe their relationship as akin to mother and daughter.

4. Patient A had health problems for which she was being treated by her primary provider, who was employed at the Facility. Respondent periodically assisted Patient A with medical issues during non-working hours outside of the Facility.

5. Patient A had recently undergone back surgery at another facility and Respondent was assisting her during the recovery. Respondent anticipated that Patient A may require more pain management and on March 4, 2018, while Respondent was not working, she remotely accessed the Facility electronic medical record-keeping system and charted the following:

[Patient A] calling for refill of oxycodone
Will forward to care team and pcp.
Members verbalizes understanding the advice given and agrees with the plan.

6. On March 5, 2018, Patient A's primary care provider reviewed Respondent's note, conducted a PDMP review, and ordered oxycodone 5mg #56 for Patient A.

7. On March 8, 2018, Respondent went to a pharmacy to pick up Patient A's prescription for oxycodone. The pharmacist found a similar order had also come in from the provider who performed Patient A's back surgery. The pharmacist questioned Respondent and contacted local law enforcement who investigated and arrested Respondent.

8. The Facility conducted an internal investigation and concluded Respondent had accessed the Facility's electronic medical record-keeping system without authorization and for reasons outside of her employment. The Facility terminated Respondent's employment and filed a complaint with the Department.

9. Respondent was charged in Dane County Circuit Court Case No. 18-CM-413 with misdemeanor Make False/Forged Prescription Order in violation of Wis. Stat. § 450.11(7)(e).

10. On November 6, 2018, Respondent pled guilty to misdemeanor Computer Crime-Access Data in violation of Wis. Stat. § 943.70(2)(a)3, for accessing the Facility's electronic medical record-keeping system without authorization.

11. While this matter was pending, Respondent completed the following continuing education courses:

- a. Don't Cross the Line: Respecting Professional Boundaries (2 contact hours)
- b. Professional Boundaries in Nursing (3 contact hours)
- c. Ethics of Nursing Practice (4.8 contact hours)
- d. Righting a Wrong – Ethics & Professionalism in Nursing (3 contact hours)

12. 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, Elizabeth K. Stevenson, R.N., violated Wis. Admin. Code § N 7.03(2) by violating a law substantially related to the practice of nursing.
3. By the conduct described in the Findings of Fact, Elizabeth K. Stevenson, R.N., violated Wis. Admin. Code § N 7.03(4)(e) by violating principles of professional boundaries.
4. By the conduct described in the Findings of Fact, Elizabeth K. Stevenson, R.N., violated Wis. Admin. Code § N 7.03(5)(b) by intentionally making incorrect entries in a patient's medical record.
5. As a result of the above conduct, Elizabeth K. Stevenson, 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 Elizabeth K. Stevenson, R.N., is REPRIMANDED.
3. The Board accepts the continuing education Respondent completed as satisfying what the Board would have otherwise ordered.
4. Within ninety (90) days from the date of this Order, Elizabeth K. Stevenson, R.N., shall pay COSTS of this matter in the amount of \$800.00.
5. 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

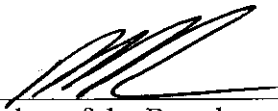
Or online via the Department's Monitoring Case Management System:
<https://app.wi.gov/DSPSMonitoring>

6. In the event Respondent violates any term of this Order, Respondent's license (155081-30), 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.

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

WISCONSIN BOARD OF NURSING

by:


A Member of the Board

11/14/19
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ELIZABETH K. STEVENSON, R.N.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0006535

Division of Legal Services and Compliance Case No. 18 NUR 203

Respondent Elizabeth K. Stevenson, 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. Respondent is represented by Attorney Mario Mendoza.

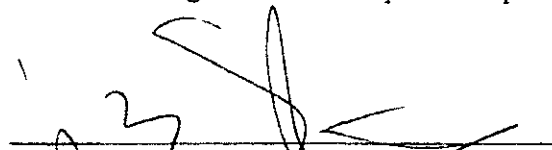
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives 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.

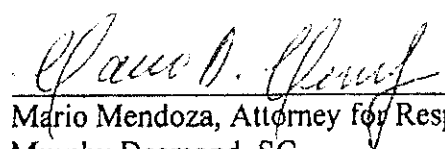
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's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

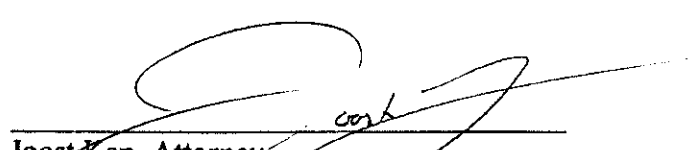
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Elizabeth K. Stevenson, Respondent
1021 Gilson Street
Madison, WI 53715
License no. 155081-30

9.27.19
Date


Mario Mendoza, Attorney for Respondent
Murphy Desmond, SC
33 East Main Street, Suite 500
PO Box 2038
Madison, WI 53703

9-27-19
Date


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

10/2/2019
Date