

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :
SHAYNA R. ABBET, R.N., : FINAL DECISION AND ORDER
LICENSEE. : FOR REMEDIAL EDUCATION
: **ORDER 0006660**

Division of Legal Services and Compliance Case No. 17 NUR 820

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

Shayna R. Abbet, R.N.
Manitowoc, WI 54220

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. Licensee Shayna R. Abbet, R.N., (DOB xx/xx/1986) is licensed in the state of Wisconsin as a registered nurse, having license number 225960-30, first issued on December 11, 2015, and current through February 28, 2020. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Manitowoc, Wisconsin 54220.

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

3. The Center initiated an investigation on November 30, 2017, based on a complaint from Resident A (a 52-year-old female) that Licensee had given her the wrong medication.

4. During the course of the Center's investigation, it was determined that on November 29, 2017, Licensee handed Resident A an incorrect vitamin. Resident A noticed the error before taking the vitamin and pointed it out to Licensee, who then provided Resident A the correct vitamin.

5. During the course of the Center's investigation, Licensee's personnel file was noted to contain the following information:

- a. On November 11, 2016, Licensee did not follow Center procedure when completing documentation after a resident fell. The Center issued Licensee a Key Performance Recording Form and documented that a discussion was had with Licensee regarding this issue.
- b. On January 6, 2017, Licensee omitted the administration of various medications as scheduled and gave one medication that was not ordered. Licensee could not verify she checked the medication administration record (MAR) when asked. The Center issued a second Key Performance Recording Form and documented that a discussion was had with Licensee regarding this issue.
- c. Between January 6-8, 2017, Licensee did not administer medications as scheduled and failed to follow Center procedures for processing Coumadin orders. The Center issued a third Key Performance Recording Form on January 9, 2017, and documented that a discussion was had with Licensee regarding this issue.
- d. On February 10, 2017, Licensee noted that medications were given to a resident when they were not and had noted that a resident's dressing was changed when it had not been changed. Licensee was issued a verbal warning.

6. Medication Incident Reports contained in Licensee's personnel file reflect that Respondent made several additional errors when administering medications to residents on January 13 and 14, 2017.

7. Licensee received education at the Center related to correct policy and procedure for medication administration and documentation on March 3, 2017, October 3, 2017, and November 1, 2017. Licensee signed to acknowledge receipt of this education on each occasion.

8. Licensee was terminated following the Center's investigation.

9. Licensee states that she was not informed of various errors alleged by the Center and, consequently, had no opportunity to address them during her employment at the Center.

10. On July 18, July 19, and July 26, 2019, Licensee completed 13.4 hours of continuing education on the topics of documentation and medication administration.

11. In resolution of this matter, Licensee consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

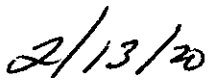
2. The Board recognizes the aforementioned continuing education courses taken by Licensee and considers that education sufficient to satisfy education the Board would have otherwise required.

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

WISCONSIN BOARD OF NURSING

by:


A Member of the Board


Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	
	:	STIPULATION
SHAYNA R. ABBET, R.N.,	:	
LICENSEE.	:	ORDER 0006660

Division of Legal Services and Compliance Case No. 17 NUR 820

Licensee Shayna R. Abbet, 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. Licensee consents to the resolution of this investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Licensee is represented by Attorney Mario Mendoza.

4. Licensee 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. Licensee 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 Licensee, 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. Licensee 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.

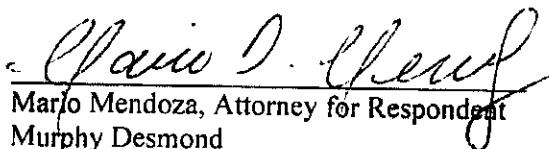
8. The Division of Legal Services and Compliance joins Licensee in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Shayna R. Abbet, R.N., Licensee
Manitowoc, WI 54220
License No. 225960-30

1/14/2020

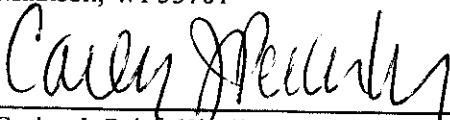
Date



Mario D. Mendoza, Attorney for Respondent
Murphy Desmond
33 E Main Street, Suite 500
PO Box 2038
Madison, WI 53701

1/15/2020

Date



Carley J. Peich Kiesling, Attorney
Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison WI 53707-7190

1/15/2020

Date