

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

JOHN B. WAKEFIELD, R.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0006892

Division of Legal Services and Compliance Case No. 18 NUR 418

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

John B. Wakefield, R.N.
Madison, WI 53716

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 John B. Wakefield, R.N. (DOB: XX/XX/1974) is licensed in the state of Wisconsin as a registered nurse, having license number 199849-30, first issued on March 13, 2014 and current through February 28, 2022. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Madison, Wisconsin 53716.

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

3. In February 2017, Respondent began receiving coaching at the Hospital due to medication documentation inaccuracies. Topics of this coaching included expectations for

accurate documentation, locating policies, the importance of safe patient care, and clinical communication hand-offs.

4. The Hospital put Respondent on a Performance Improvement Plan (PIP) between February 7, 2017, and April 10, 2017. During that time, Respondent routinely met with the Assistant Nurse Manager. Respondent's progress, improvements, and concerns were addressed in his meetings with the Assistant Nurse Manager.

5. Respondent's PIP was extended until May 9, 2017, based on minimal improvement when finding, reviewing, and following hospital policies and accurate documentation. On May 9, 2017, the Assistant Nurse Manager and Respondent met and determined that he had met the expectations of the PIP and would be taken off the PIP.

6. On or about May 23, 2017, Respondent had several inaccuracies in his shift summaries.

7. At the beginning of June 2017, Respondent was placed on another PIP with a focus on physician communication, time management, professional relationships, charting accuracy, neurological assessments, and policy compliance. Respondent struggled with completion of this PIP and the PIP was extended into August 2017.

8. On August 7, 2017, Respondent was not accepting the resources provided in the PIP.

9. On August 27, 2017, Respondent received a warning regarding a failure to follow orders for a patient.

10. On August 31, 2017, the Hospital alleged Respondent failed to inform other staff that a patient informed him of alcohol in their belongings and failed to locate or remove the alcohol. Respondent alleges that he did notify the next nurse to care for the patient.

11. On September 1, 2017, Respondent failed to communicate the plan of care for a patient to the wound care nurse.

12. On September 18, 2017, Respondent failed to put a high-fall risk patient on bed checks.

13. Respondent's PIP was extended into November 2017.

14. On May 16, 2018, Respondent indicated on a patient assessment that the bed and chair alarm were on in the patient's room and that video monitoring was in place. However, it was noted on the next shift that the patient was not on video monitoring nor was the bed check activated.

15. A random audit was conducted at this time and found that Respondent has inconsistent, contradictory, and inaccurate documentation and was failing to follow policy and procedures for safe drug administration, bed alarms, falls, and documentation.

16. On May 24, 2018, the Hospital suspended Respondent.

17. On June 1, 2018, the Hospital terminated Respondent's employment.

18. 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, Respondent 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, Respondent violated Wis. Admin. Code § N 7.03(6)(b), by lack of knowledge, skill, or ability to discharge professional obligations within the scope of nursing practice.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(6)(c), departing from or failing to conform to the minimal standards of acceptable nursing practice that may create unnecessary or danger to the patient's life, health, or safety. Actual injury to a patient need not be established.

5. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(8)(d), error in prescribing, dispensing or administering medication.

6. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. The registered nurse license issued to Respondent (license number 199849-30) and his privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact (Compact), are LIMITED as follows:

- a. Within ninety (90) days of the date of this Order, Respondent shall at his own expense, successfully complete three (3) hours of education on the topic of medication administration, three (3) hours on the topic of

assessment, and three (3) hours on the topic of effective communication and documentation 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 of the ordered education.

4. Pursuant to the Compact, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation. This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and the regulatory board in the state in which Respondent proposes to practice.

5. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,434.00.

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://dpsmonitoring.wi.gov/>

7. In the event Respondent violates any term of this Order, Respondent's license (199849-30), or Respondent's right to renew his 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: Peter Kallio, MD
A Member of the Board

7/9/2020
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JOHN B. WAKEFIELD, R.N.,
RESPONDENT.

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STIPULATION

ORDER 0006892

Division of Legal Services and Compliance Case No. 18 NUR 418

Respondent John B. Wakefield, 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.



John B. Wakefield, R.N., Respondent
Madison, WI 53716
License No. 199849-30

6-18-2020
Date



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

06/19/2020

Date