

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

SARAH A. RILEY, L.P.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: **ORDER 0007125**

Division of Legal Services and Compliance Case No. 18 NUR 521

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

Sarah A. Riley, L.P.N.
Duluth, GA 30096

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

A disciplinary proceeding was commenced in this matter by the filing of a Notice of Hearing and Complaint with the Wisconsin Department of Hearing and Appeals on September 11, 2020. Prior to the hearing on the Complaint, the parties in this matter agreed 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 Sarah A. Riley, L.P.N. (DOB xx-xx-1965) is licensed in the state of Wisconsin as a practical nurse, having license number 305375-31, first issued on March 10, 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 in Duluth, Georgia 30096.
2. On or about September 6, 2018, the Department received notice of a settlement paid on behalf of a Wisconsin hospital (Hospital) to a patient to settle claims of an improperly placed catheter.

3. On March 31, 2020, the Department was informed by the Hospital that Respondent was the individual responsible for the improperly placed catheter referenced in paragraph 2. The Department was also informed that Respondent was reeducated by the Hospital regarding catheter placement, observation of urine return, replacement, and notification of failure to return urine after replacement.

4. On April 2, 2020, a Department attorney emailed Respondent at the email address on file with the Department requesting a response to the allegations in the claim. No response was received.

5. On April 28, 2020, a Department attorney called Respondent at her phone number on file with the Department, spoke to Respondent, and confirmed that her contact information on file with the Department was up to date. The attorney emailed another request to Respondent at the email address on file with the Department asking for a response to the allegations in the claim. No response was received.

6. On May 13, 2020, a Department attorney received a voicemail from Respondent requesting additional information. The attorney emailed the requested information to Respondent at the email address on file with the Department and again requested a response to the allegations in the claim. No response was received.

7. On June 12, 2020, a Department attorney emailed Respondent at the email address on file with the Department and requested a response to the allegations in the claim. No response was received.

8. On June 25, 2020, a Department attorney left a voice message at the phone number on file with the Department and requested that Respondent provide a response to the allegations in the claim. No response was received.

9. To date, Respondent has not provided the Department with a response to the allegations in the claim.

10. 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, Sarah A. Riley, L.P.N., violated Wis. Admin. Code § N. 7.03(1)(c) by failing to cooperate in a timely manner with the board's investigation of a complaint filed against a license holder.

3. As a result of the above conduct, Sarah A. Riley, 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 Sarah A. Riley, L.P.N., is REPRIMANDED.

3. The Board recognizes and accepts Respondent's successful completion of the reeducation by the Hospital regarding catheter placement, observation of urine return, replacement, and notification of failure to return urine after replacement, as the equivalent of the education it would otherwise have ordered.

4. Within 120 days from the date of this Order, Sarah A. Riley, L.P.N., shall pay COSTS of this matter in the amount of \$629.00.

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

Respondent may also submit this information online via DSPS' Monitoring Case Management System, here:

<https://dpsmonitoring.wi.gov/>

6. In the event Respondent violates any term of this Order, Respondent's license (305375-31), 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.

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

WISCONSIN BOARD OF NURSING

By:



A Member of the Board

12/10/2020

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SARAH A. RILEY, L.P.N.,
RESPONDENT.

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:
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:
:

STIPULATION

ORDER 0007125

Division of Legal Services and Compliance Case No. 18 NUR 521

Respondent Sarah A. Riley, 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 proceeding by the Division of Legal Services and Compliance. Respondent consents to the resolution of this proceeding 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.

Sarah Riley

Sarah A. Riley, L.P.N., Respondent
Duluth, GA 30096
License No. 305375-31

11/12/2020

Date

Carley Peich Kiesling

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

11/12/2020

Date