

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE LICENSE OF :  
AMANDA L. OCACIO, L.P.N., : FINAL DECISION AND ORDER  
LICENSEE. : FOR REMEDIAL EDUCATION

**ORDER 000738 1**

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Division of Legal Services and Compliance Case No. 17 NUR 484

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

Amanda L. Ocacio, L.P.N.  
Racine, WI

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. Amanda L. Ocacio, L.P.N. (Licensee), (Year of Birth 1981) is licensed in the state of Wisconsin as a licensed practical nurse, having license number 312835-31, first issued on July 2, 2010, and current through April 30, 2021. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Racine, Wisconsin.

2. At all times relevant to this proceeding, Licensee was employed as a licensed practical nurse by a healthcare agency and staffed at a correctional institution (Institution) located in Milwaukee, Wisconsin.

3. Early in the morning of April 16, 2016, Inmate A was processed into the Institution. Nurse B at the Institution conducted an initial health screening on Inmate A. During the health screening, Inmate A reported a history of high blood pressure and diabetes to Nurse B.

4. While working early in the morning of April 20, 2016, Licensee assisted with checking blood sugar levels for inmates. Licensee would approach the inmate in their cell, tell them who she was, and that she was there to take their blood sugar level. The inmates had to stick their finger out through their cell door window to have their blood sugar level taken. If an inmate refused, Licensee was required to complete a "refusal form" and have the inmate sign the form. Inmate A refused to have his blood sugar level taken and refused to sign the "refusal form".

5. Inmate A had also refused to have his blood sugar levels checked by another L.P.N. on April 19, 2016, in both the morning and evening.

6. Licensee again attempted to take Inmate A's blood sugar level on April 21, 2016. She charted that he refused and "did not state reason." Licensee said that Inmate A did not answer her when she asked if she could take his blood sugar and he simply stared at her. She said it was common for inmates to refuse care and to just stare.

7. According to policy, once an inmate had three (3) refusals for a particular care/treatment in the computer, the doctors, nurse practitioners, or nurse supervisors were supposed to investigate the red flag. Licensee did not take further action to escalate the concern to a supervisor that Inmate A had more than three (3) refusals for blood sugar checks relying instead upon the computer system.

8. Licensee alleges that she would have spoken up to the doctors if she knew the inmate/situation more and felt that the inmate was in danger due to a refusal of care. Licensee did not advocate for Inmate A.

9. 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. Within six (6) months of the date of this Order, Licensee shall at her own expense take and successfully complete three (3) hours of education on the topic of patient advocacy as follows:
  - a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
  - b. Licensee 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 education requirements that have been or may be instituted by the Board or Department.

- c. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Licensee. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.


3. Request for approval of courses and proof of successful course completion shall be sent by Licensee to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

Licensee may also submit this information online at: <https://dspsmonitoring.wi.gov>

- 4. This Order is effective on the date of its signing.

WISCONSIN BOARD OF NURSING

By:   
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A Member of the Board

13 May 2021  
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Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE LICENSE OF :

AMANDA L. OCACIO, L.P.N.,  
LICENSEE. :

STIPULATION

ORDER 0007581

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Division of Legal Services and Compliance Case No. 17 NUR 484

Amanda L. Ocacio, L.P.N. (Licensee), 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.

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.



Amanda L. Ocacio, L.P.N., Licensee  
Racine, WI 53405  
License No. 312835-31

03-02-2021

Date



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

3/2/21

Date