

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

ANA M. RAMIREZ, R.N.
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: **ORDER 0007414**

Division of Legal Services and Compliance Case No. 21 NUR 054

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

Ana M. Ramirez, R.N.
Cudahy, WI 53110

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 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. Ana M. Ramirez, R.N. (Respondent), (Year of Birth 1996) is licensed in the state of Wisconsin as a registered nurse, having license number 253683-30, first issued on May 12, 2020 and current through February 28, 2022. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Cudahy, Wisconsin 53110.
2. At all times relevant to this proceeding, Respondent worked as a registered nurse for a home health care facility located in Brookfield, Wisconsin (Facility).

3. On January 1, 2021, Patient A contacted the on-call phone line for the Facility to report that her pleurx drains were not attended to since December 28, 2020. Patient A had attempted to contact Respondent several times without success.
4. When Nurse B responded to Patient A's requests on January 1, 2021, it was noted that Patient A was short of breath and had "grossly edematous legs with blistering" and new wounds that were not previously there.
5. The Facility's on-call Team Coordinator received a phone call from Patient C's wife, inquiring when Respondent was coming to provide wound care. Patient C and the rest of Respondent's visits for the day were covered by the Clinical Manager and Nurse D.
6. Nurse D attempted to contact Respondent by text, phone call, and email at approximately 12:23 p.m., 12:46 p.m., 1:05 p.m., 2:27 p.m., and 3:20 p.m. Nurse D left a voicemail with Respondent's mother at 4:23 p.m.
7. At 6:34 p.m., Respondent informed Nurse D that she and her family were in a car accident the day prior and she lost her phone.
8. Between December 30, 2020 and January 2, 2021, Respondent missed twelve (12) scheduled visits with eleven (11) patients.
9. Respondent was contacted via text and voicemail on January 3, 2021 to report to the office on January 4, 2021. Respondent did not show up or respond to the Facility.
10. On January 6, 2021 Respondent sent an email to a Facility administrator apologizing for the course of events. Respondent stated that there was a series of personal events that took a toll on her and her family. Respondent stated she would return the equipment issued to her.
11. On January 8, 2021, Respondent returned all her equipment.
12. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Board 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 failed to perform nursing with reasonable skill and safety within the meaning of Wis. Admin. Code § N 7.03(6)(a).
3. By the conduct described in the Findings of Fact, Respondent failed to report to or leave a nursing assignment without properly notifying appropriate supervisory personnel and ensuring the safety and welfare of the patient or client within the meaning of Wis. Admin. Code § N 7.03(6)(d).

4. By the conduct described in the Findings of Fact, Respondent failed to treat patients within the meaning of Wis. Admin. Code § N 7.03(6)(j).

5. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d) and Wis. Admin. Code § N 7.03.

ORDER

1. The attached Stipulation is accepted.
2. Respondent is REPRIMANDED.
3. The registered nurse license issued to Respondent (license number 253683-30), and 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 their own expense, successfully complete three (3) hours of education on the topic of critical thinking, four (4) hours of education on the topic of professional accountability and legal liability for nurses, and three (3) hours of education on the topic of ethics and professionalism in nursing 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. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Respondent. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
 - d. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all the ordered education.

4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$490.00.

5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services

P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov


Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>

6. Should Respondent have a Wisconsin multistate license pursuant to the Compact, Respondent may not practice in any Compact state, other than Wisconsin, while Respondent's license is encumbered by any term(s) of this Order.

7. In the event Respondent violates any term of this Order, Respondent's license (253683-30), 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.

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

WISCONSIN BOARD OF NURSING

By: 
A Member of the Board of Nursing

10 June 2021
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANA M. RAMIREZ, R.N.,
RESPONDENT.

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STIPULATION
ORDER 0007414

Division of Legal Services and Compliance Case No. 21 NUR 054

Ana M. Ramirez, R.N., (Respondent) 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 Kristen Nelson.

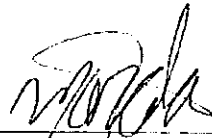
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives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

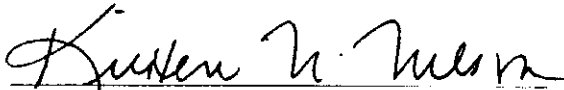
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Ana M. Ramirez, R.N., Respondent
Cudahy, WI 53110
License No. 253683-30

05/25/2021

Date



Kristen Nelson, Attorney for Respondent
Gimbel, Reilly, Guerin, Brown, LLP
330 E. Kilbourn Ave., Ste 1170
Milwaukee, WI 53202

5/26/2021

Date



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

05/26/2021

Date