

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

DARLENE S. WILKEY, R.N., A.P.N.P.
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0007421

Division of Legal Services and Compliance Case No. 19 NUR 301

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

Darlene S. Wilkey, R.N., A.P.N.P.
Howard, WI 54313

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. Darlene S. Wilkey, R.N., A.P.N.P. (Respondent) (Year of Birth 1956), is licensed in the state of Wisconsin as a registered nurse, with multistate privileges pursuant to the Enhanced Nurse Licensure Compact (Compact), having license number 194347-30, first issued on February 4, 2013 and current through February 28, 2022. Respondent is also certified in the state of Wisconsin as an advanced practice nurse prescriber, having certificate number 5287-33, first issued on April 24, 2013. This certificate expired on September 30, 2020 and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to renew upon payment of a fee until September 30, 2025.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is, Howard, Wisconsin 54313.

3. At all times relevant to this proceeding, Respondent was employed as a registered nurse and an advanced practice nurse prescriber by a healthcare agency and staffed at a correctional institution (Institution) located in Redgranite, Wisconsin.

4. Respondent was assigned as the primary healthcare provider for Patient A, whose diagnoses included hypertension and diabetes. Respondent ordered routine lab work for Patient A, and the results returned with elevated creatinine and potassium levels even though Patient A was on an angiotensin-converting-enzyme (ACE) inhibitor and a potassium sparing diuretic. Although Respondent signed off on the lab results, she did not take any further action, nor did she order follow-up lab tests for Patient A.

5. Staff reported to the Institution that Respondent did not want to order an electrocardiogram (EKG) for one of her patients because Respondent stated she did not know how to interpret the results.

6. Doctor B, who worked with Respondent, reported to the Institution the following evidence showing Respondent had an inadequate knowledge base to safely practice medicine in the state of Wisconsin:

- a. Respondent asked Doctor B if she should adjust Coumadin (blood clot medication) up or down in a patient who was excessively anti-coagulated based on international normalized ratio (INR) testing.
- b. Doctor B was not at work and Respondent covered Doctor B's patients. One of the patients (Patient C) who had diagnoses of congestive heart failure (CHF) and chronic obstructive pulmonary disease (COPD) was experiencing shortness of breath. Respondent ordered a short course of steroid pills for Patient C without physically evaluating Patient C to determine if the shortness of breath was due to COPD or CHF which steroids would be contraindicated. When Doctor B returned, she evaluated Patient C and changed Respondent's orders.
- c. Respondent was unfamiliar with common medications such as glipizide and Voltaren gel.

7. Respondent left employment at the Institution in February 2019.

8. Respondent voluntarily surrendered her advanced practice registered and professional nursing licenses in the state of Minnesota on December 3, 2015. Respondent stipulated to the Minnesota Board of Nursing Review Panel deficiency findings from her former employer which included:

- a. Profound deficit in her knowledge of medical practice to an extent that patients are placed at risk for serious injury or harm due to medical decisions unsupported by appropriate evaluations.

- b. Prescribing medications in a manner that indicates inadequate knowledge of pharmacology to an extent that patients are placed at risk for serious injury and potentially permanent adverse effects.
- c. Prescribing medications chronically without appropriate lab tests for chronic disease management or medication monitoring.

9. On June 1, 2016, Respondent voluntarily surrendered her registered nurse license in the state of Michigan.

10. 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 engaged in unsafe practice or substandard care, by lack of knowledge, skill, or ability to discharge professional obligations within the scope of nursing practice within the meaning of Wis Admin. Code § N 7.03(6)(b).

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

ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER of the license and privilege of Respondent, and the right to renew the certificate to practice (license no. 194347-30 and certificate no. 5287-33) to practice nursing and advance practice nurse prescribing in the state of Wisconsin or under another state license pursuant to the (Compact) are hereby accepted.

3. In the event Respondent petitions the Board of Nursing for reinstatement as a registered nurse or as an advance practice nurse prescriber in the future, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.

4. If Respondent ever seeks reinstatement of her license or certificate to practice nursing or applies for any other license under Wis. Stat. chs. 440-480, Respondent, shall, as a prerequisite to application, pay COSTS of this matter in the amount of \$697.00. If Respondent never again seeks licensure in Wisconsin, the Department waives the above-stated costs.


5. If applicable, petitions for reinstatement and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent 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) 266-2112; Fax (608) 266-2264

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

6. 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

DARLENE S. WILKEY, R.N., A.P.N.P.,
RESPONDENT.

STIPULATION

ORDER 0007421

Division of Legal Services and Compliance Case No. 19 NUR 301

Darlene S. Wilkey, R.N., A.P.N.P. (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.

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.

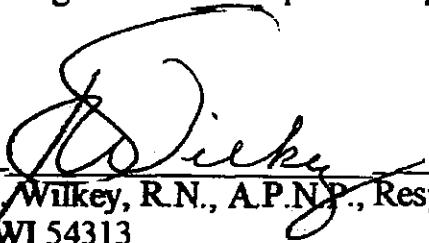
5. If the terms of this Stipulation are not acceptable to the Board the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



Darlene S. Wilkey, R.N., A.P.N.P., Respondent
Howard, WI 54313
License No. 194347-30 and Certificate No. 5287-33

5/11/2021
Date



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

05/12/2021

Date