

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :
 :
 : FINAL DECISION AND ORDER
 : FOR REMEDIAL EDUCATION
MACKENZIE E. BARKER, R.N., :
LICENSEE. : **ORDER 0007509**

Division of Legal Services and Compliance Case No. 21 NUR 155

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

Mackenzie E. Barker, R.N.
Oshkosh, WI 54902

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. Mackenzie E. Baker, R.N. (Licensee), (Year of Birth 1993) is licensed in the state of Wisconsin as a registered nurse, having license number 228872-30, first issued on June 2, 2016 and current through February 28, 2022. Licensee is also licensed as a practical nurse, having license number 319664-31, first issued on July 8, 2015. This license expired on April 30, 2017 and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Licensee retains the right to renew upon payment of a fee until April 29, 2022. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Oshkosh, Wisconsin 54902.

2. At all times applicable to this matter, Respondent worked at a health care facility (Facility) in Oshkosh, Wisconsin.

3. On March 22, 2021, Licensee was assigned to administer all scheduled and as needed medications on Unit A at the Facility and was to assist as needed on Unit B.

4. The RN responsible for Unit B asked Licensee to administer a scheduled Aristada 441 mg intramuscular injection to Patient A.

5. Licensee reviewed Patient A's medical record, prepared the medication, and recalls that the medication was to be administered once every four (4) weeks.

6. Licensee requested RN A from Unit B to accompany and assist in the administration. RN A told Licensee that Patient A was court ordered for involuntary medication by injection.

7. Patient A refused the medication, stating he "felt like an animal."

8. RN B stated she did not believe Patient A was court ordered for involuntary medication.

9. RN A accessed Patient A's medical record and indicated to Licensee that there was a court order for Patient A to receive involuntary administration of psychotropic medications.

10. Staff members approached Patient A to receive the injectable. Patient A was restrained due to resistance.

11. Licensee administered the medication into Patient A's deltoid.

12. Following administration, Licensee called Patient A's provider to obtain an order for restraint for patient safety. The provider approved the order and hung up, then immediately called back to notify Licensee that Patient A did not have a court order for involuntary administration of psychotropic medication.

13. Upon further review of Patient's A's medical record, Licensee and RN A discovered the document previously reviewed by RN A was expired and from a prior admission to the Facility.

14. In resolution of this matter, Licensee consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Board 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 their own expense take and successfully complete three (3) hours of education on the topic of ethics and three (3) hours of education on the topic of legal documentation 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 course(s) 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 continuing education requirements that have been or may be instituted by the Board and may not be used in any future attempt to upgrade a credential.
- 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. Requests for course approval 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
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

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

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

WISCONSIN BOARD OF NURSING

By: 

A Member of the Board

8/12/2021

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF
MACKENZIE E. BARKER, R.N.

:
:
:
:

STIPULATION

ORDER 0007509

Division of Legal Services and Compliance Case No. 21 NUR 155

Mackenzie E. Barker, R.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. Licensee is represented by Attorney Andrea Hoversten.

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

