

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

KAMARI M. MAXFIELD, R.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0008292

Division of Legal Services and Compliance Case Nos. 21 NUR 042 and 22 NUR 340

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

Kamari M. Maxfield, R.N.
Brown Deer, WI 53223

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 these matters agree to the terms and conditions of the attached Stipulation as the final disposition of these matters, 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 these matters adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Kamari M. Maxfield, R.N. (Year of Birth 1980),⁶ is licensed in the state of Wisconsin as a registered nurse, with multistate privileges pursuant to the Nurse Licensure Compact (Compact), having license number 231412-30, first issued on September 23, 2016, and current through February 29, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Brown Deer, Wisconsin 53223.

21 NUR 042

2. At all times relevant to this matter, Respondent was employed as a registered nurse at nursing home located in West Allis, Wisconsin (Facility 1).

3. On January 25, 2021, Respondent documented removal of a 25mcg fentanyl patch from the medication cart and administration of the patch to Resident A, a 63-year-old non-verbal female with chronic respiratory failure and a tracheostomy.

4. On January 27, 2021, an LPN discovered a fentanyl patch in the medication cart between medication packs. A medication count was completed and the count was correct.

5. Facility 1's unit manager reviewed residents with fentanyl orders and checked for patch placement on those residents. Resident A had a patch on her that was labeled "1/22" but, per her medication orders, her patch was supposed to have been changed on January 25, 2021. All other residents' patches were correct.

6. Respondent maintains that on January 25, 2021, she removed the fentanyl patch to administer to Resident A, but it fell into the medication cart and she was unable to find it. She said she administered a different patch to Resident A on January 25, 2021.

7. Facility 1 concluded based on their investigation that Respondent never administered a patch to Resident A on January 25, 2021, as she had documented.

8. As a result of this incident, Respondent received a verbal warning and was required to review Facility 1's Documentation of Medication Administration policy.

9. On April 21, 2021, Respondent represented to the Department that she was still employed at Facility 1. However, according to the administrator of Facility 1, Respondent's employment was terminated on April 12, 2021.

22 NUR 340

10. At all times relevant to this matter, Respondent was employed as a registered nurse at a nursing home located in Brookfield, Wisconsin (Facility 2).

11. On May 8, 2022, Respondent used Resident B's debit card without Resident B's permission.

12. Brookfield Police Department (Brookfield PD) and Facility 2 investigated the matter and discovered the following facts:

- a. On May 7, 2022, Resident B had given her debit card to Respondent to purchase lunch for both of them at a restaurant across the street from Facility 2. Respondent brought back the food and returned Resident B's debit card to her. Resident B placed the card back in her wallet, placed the wallet in a plastic bag, and asked Respondent to put the bag in her coat pocket in the closet.

- b. On the afternoon of May 8, 2022, Resident B received text alerts on her phone from her bank notifying her of three suspicious purchases attempted with her debit card. The first transaction was for gas in the amount of \$67.00, the second transaction was for \$28.03 for general store items, and the final transaction was labeled as "vending." Resident B did not make any of these purchases nor did she authorize anyone else to make the purchases. Resident B's debit card was missing from her wallet.
- c. Video footage from Facility 2 shows Respondent leaving Facility 2 between 3:35 - 3:50 p.m. on May 8, 2022.
- d. Video footage from the gas station where Resident B's card was used shows the attempted purchases were made by Respondent at 3:42 p.m. and 3:44 p.m. on May 8, 2022.
- e. The gas station where Respondent used Resident B's debit card to attempt purchases is approximately a three-minute drive from Facility 2.

13. Respondent refused to meet with an officer from the Brookfield PD when requested. Respondent was issued a municipal citation for Theft of Movable Property < \$200 and Fraudulent Use of a Credit Card < \$200.

14. Respondent's last day working at Facility 2 was on May 8, 2022. On May 18, 2022, Facility 2 mailed a termination letter to Respondent via certified mail.

15. 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 violated or aided and abetted a violation of any law substantially related to the practice of nursing or was convicted of any crime substantially related to the practice of nursing within the meaning of Wis. Admin. Code § N 7.03(2).

3. By the conduct described in the Findings of Fact, Respondent solicited, borrowed, misappropriated, obtained, or attempted to obtain money or property from a patient or a patient's family within the meaning of Wis. Admin. Code § N 7.03(4)(a).

4. By the conduct described in the Findings of Fact, Respondent falsified or inappropriately altered reports, patient documentation, agency records, or other health documents within the meaning of Wis. Admin. Code § N 7.03(5)(a).

5. By the conduct described in the Findings of Fact, Respondent submitted false information in the course of an investigation within the meaning of Wis. Admin. Code § N 7.03(5)(g).

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

7. By the conduct described in the Findings of Fact, Respondent committed an error in prescribing, dispensing, or administering medication within the meaning of Wis. Admin. Code § N 7.03(8)(d).

8. 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's license to practice as a registered nurse in the state of Wisconsin (license number 231412-30), and her privilege to practice in Wisconsin pursuant to the Compact, is suspended for 90 days from the date of this Order.

3. Respondent's license to practice as a registered nurse in the state of Wisconsin (license number 231412-30), and her privilege to practice in Wisconsin pursuant to the Compact, is LIMITED as follows:

- a. Prior to the expiration of the suspension referenced in paragraph 2, Respondent shall at her own expense, successfully complete four (4) hours of education on the topic of medication administration and documentation, and six (6) hours of education on the topic of ethics, 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. Respondent's license to practice as a registered nurse in the state of Wisconsin (license number 231412-30), and her privilege to practice in Wisconsin pursuant to the Compact, is further LIMITED as follows:

- a. For a period of at least two (2) years from the date of this Order, Respondent shall provide a copy of this Order immediately to supervisory personnel at all settings where Respondent works as a nurse or caregiver or provides health care, currently or in the future. Respondent shall provide the Department Monitor with written acknowledgment from each nursing employer that a copy of this Order has been received. Such acknowledgment shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.
- b. For a period of at least two (2) years from the date of this Order, Respondent shall arrange for quarterly written reports to be submitted to the Department Monitor from Respondent's supervisor at each setting in which Respondent practiced nursing in the previous quarter. These reports shall be submitted as directed by the Department Monitor, and shall assess Respondent's work performance, and shall include the number of hours of active nursing practice worked during that quarter. If a report indicates less than satisfactory performance, the Board may institute appropriate corrective limitations, in its discretion.
- c. Respondent shall notify the Department Monitor of any change of nursing employment during the time in which this Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.

5. After the first year from the date of this Order, Respondent may petition the Board on an annual basis for a modification of requirements under paragraph 4 of this Order. After two (2) consecutive years of successful compliance, the Respondent may petition the Board for return of full licensure. The Board may grant or deny any petition, in its discretion, or may modify this Order as it sees fit.

6. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$2,175.00.

7. 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

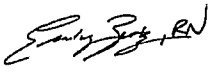
Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>.

8. Pursuant to Wis. Stat. § 441.51(5)(b), Respondent's multistate licensure privilege to practice in all Compact states besides Wisconsin is deactivated during the pendency of this Order.

9. In the event Respondent violates any term of this Order, Respondent's license (number 231412-30), 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.

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

WISCONSIN BOARD OF NURSING

By: 

A Member of the Board

12/8/2022

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KAMARI M. MAXFIELD, R.N.,
RESPONDENT.

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STIPULATION

ORDER 0008292

Division of Legal Services and Compliance Case Nos. 21 NUR 042 and 22 NUR 340

Respondent Kamari M. Maxfield, R.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 pending investigations by the Division of Legal Services and Compliance. Respondent consents to the resolution of these investigations 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 matters 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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

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

Kamari M. Maxfield, R.N., Respondent
Brown Deer, WI 53223
License No. 231412-30

Date

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

Date

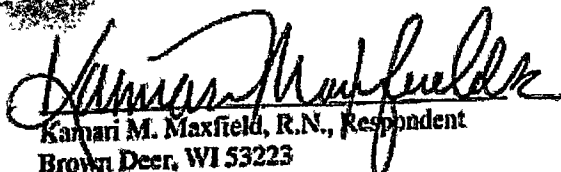
Division of Legal Services and Compliance for further proceedings. In the event that the Respondent is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

The parties to this Stipulation agree that the attorney or other agent for the Respondent, the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor to the 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.

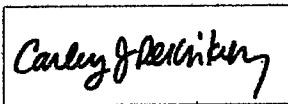
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Board procedures.

8. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Database (NPDB) Guidebook and as otherwise required by any licensure compact or any other applicable federal law.

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


Kamari M. Maxfield, R.N., Respondent
Brown Deer, WI 53223
License No. 231412-30

11/3/22
Date



November 4, 2022

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

Date