

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

JESSICA N. ISLER, R.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0008638

Division of Legal Services and Compliance Case No. 21 NUR 777

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

Jessica N. Isler, R.N.
Brookfield, WI 53005

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. Respondent Jessica N. Isler, R.N., (Year of Birth 1987) is licensed in the state of Wisconsin as a registered nurse with multistate privileges under the Nurse Licensure Compact (Compact), having license number 196813-30, first issued on July 24, 2013, 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 Brookfield, Wisconsin 53005.

2. At all times relevant to this proceeding, Respondent worked as a registered nurse at a medical center located in Milwaukee, Wisconsin (Facility).

3. On November 11, 2020, Respondent assisted another nurse with administering Zofran to a patient. The Zofran was supposed to be administered by IV, but Respondent

administered the Zofran via a Mahurkar dialysis port because she incorrectly believed that the dialysis port was an intrajugular line. Respondent did not locate all lines or seek clarification about which of those lines was appropriate to use for administering the medication.

4. On March 16, 2021, Respondent was caring for a patient who had an arterial line. Respondent attempted to change the arterial SafeSet for the patient without utilizing clamps to prevent bleeding from the open ends of the arterial catheters. Respondent used her fingers to pinch the lines because she did not have any clamps on hand when she began to change the SafeSet.

5. On March 31, 2021, Respondent assumed care for a patient on a furosemide infusion with an indwelling foley catheter in place, and she was required to document the patient's urinary output every hour. During the first four hours of her shift, Respondent failed to document the patient's urinary output.

6. On April 11, 2021, Respondent was caring for a patient with a physician order to administer PO acyclovir as a prophylactic measure during chemotherapy. The patient had refused to take his acyclovir previously, and Respondent had been instructed to speak to him about the importance of taking the acyclovir. Respondent administered other medications to the patient but did not administer the acyclovir. Respondent documented that the patient had refused the medication. Respondent stated that she also notified the physician of the medication refusal. Respondent was unaware why the acyclovir had been ordered for the patient and did not take steps to find out why it had been ordered so that she could discuss the importance of the medication to the patient.

7. On April 24, 2021, Respondent was caring for a patient who was on a norepinephrine infusion. Respondent intended to titrate from 0.01 mcg/kg/min to 0.005 mcg/kg/min but mistakenly titrated the medication upward to 0.05 mcg/kg/min.

8. On April 28, 2021, Respondent was caring for a patient who was receiving an insulin infusion. Respondent mistakenly decreased the infusion rate instead of increasing it because she misused the algorithm. Respondent failed to seek clarification from her assigned preceptor about the use of the algorithm.

9. On July 21, 2021, Respondent resigned from her position at the Facility.

10. On March 31, 2022, Respondent successfully completed 7.0 hours of education in Medical Errors Prevention and Patient Safety, and 4.5 hours of education in Workplace Bullying in Healthcare.

11. Respondent denies the allegations in the findings of fact and denies that her conduct deviated from the standard of care or violated any duties and requirements of her credential to practice nursing in Wisconsin.

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 departed from or failed to conform to the minimal standards of acceptable nursing practice that may create unnecessary risk or danger to a patient's life, health, or safety within the meaning of Wis. Admin. Code § N 7.03(6)(c).

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

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. Respondent's license to practice as a registered nurse (license number 196813-30), and privilege to practice in Wisconsin pursuant to the Compact, are also LIMITED as follows:

a. Respondent shall not work in an intensive care or emergency room/department setting until she has either successfully completed precept, and the precept supervisor has submitted correspondence to the Department Monitor stating that Respondent has the knowledge and skill to safely work in an intensive care or emergency room/department setting, or the Nurse Educator at Respondent's employment submits correspondence to the Department Monitor stating that Respondent has the knowledge and skill to safely work in an intensive care or emergency room/department. If a Nurse Educator is not available at Respondent's employer, Respondent may retain a Nurse Educator preapproved by the Board or its designee to satisfy this requirement.

b. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has the knowledge and skill to safely work in an intensive care or emergency room/department setting.

4. Respondent's license to practice as a registered nurse (license number 196813-30), and privilege to practice in Wisconsin pursuant to the Compact, are also LIMITED as follows:

a. Within ninety (90) days of the date of this Order, Respondent shall at their own expense, successfully complete two hours of education on the topic of medication administration (including IV push), two hours of education on the topic of pharmacology for nursing, and two hours of education on the topic of advanced

nursing skills, 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.

5. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$2,157.00.

6. 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>.

7. 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.

8. In the event Respondent violates any term of this Order, Respondent's license (number 196813-30), 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.

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

WISCONSIN BOARD OF NURSING

By: 

A Member of the Board of Nursing

7/13/2023

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JESSICA N. ISLER, R.N.,
RESPONDENT.

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STIPULATION

ORDER 0008638

Division of Legal Services and Compliance Case No. 21 NUR 777

Jessica N. Isler, 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 Marlene Garvis.

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. 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.



Jessica N. Isler, R.N., Respondent
Brookfield, WI 53005
License No. 196813-30

06/01/2023

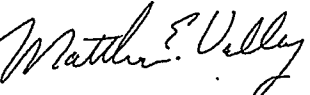
Date

Marlene S. Garvis

Marlene Garvis, Attorney for Respondent
Marlene S. Garvis, LLC
4597 Woodridge Road
Minnetonka, MN 55345

06.01.2023

Date



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

6/2/2023

Date