

April 3, 2019

Sharon K Byro
19 Hazelwood Ave
New Ulm MN 56073

Dear Ms. Byro:

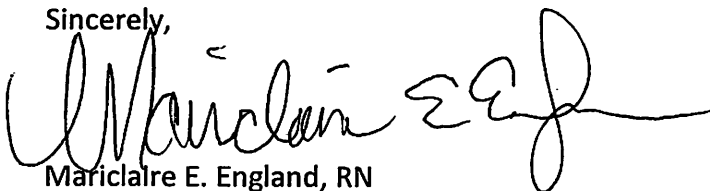
This is to acknowledge receipt of the consultant report from on February 3, 2019, and receipt of your report on March 28, 2019. This information has been reviewed and included in your file.

You have now met all requirements of the Agreement for Corrective Action dated August 14, 2018. Therefore, in accordance with paragraph 5. of your Agreement for Corrective Action, this matter is dismissed. The Agreement and this letter are classified as public documents.

This matter may be re-evaluated should the Board receive a complaint of a similar nature in the future. The Review Panel encourages you to continue to apply to your practice the principles you have learned from the corrective actions.

If you have any questions, please contact Mary Squires at (612) 317-3029 or toll-free at 1-888-234-2690. Best wishes as you continue your nursing career.

Sincerely,



Mariclaire E. England, RN
Nursing Practice Specialist

MEE:bjc

cc: T. Oliver Skillings, Attorney at Law

**BEFORE THE MINNESOTA
BOARD OF NURSING
REVIEW PANEL**

In the Matter of
Sharon K. Byro, RN, LPN
RN License No. 207316-1
LPN License No. 57269-3

**AGREEMENT FOR
CORRECTIVE ACTION**

This Agreement is entered into by and between Sharon K. Byro, RN, LPN ("Licensee"), and the Minnesota Board of Nursing Review Panel ("Review Panel") pursuant to the authority of Minnesota Statutes section 214.103, subdivision 6(a)(2). Licensee and the Review Panel hereby agree as follows:

FACTS

1. On March 16, 2018, Licensee met with the Review Panel, composed of Christine Norton, Board member, and Mariclaire England, Nursing Practice Specialist for the Board, to discuss allegations regarding Licensee's nursing practice contained in a Notice of Conference dated February 7, 2018. Hans Anderson, Assistant Attorney General, represented the Review Panel. Licensee was represented in this matter by T. Oliver Skillings, Skillings Law Office, New Ulm, Minnesota. Licensee and the Review Panel have agreed to enter into an Agreement for Corrective Action to address the concerns identified below.

2. While Licensee was employed as a registered nurse at an ~~assisted living facility~~ ^{Adult Foster Care Unit} in Mankato, Minnesota, the following occurred:

a. In February 2015, Licensee administered oxycodone to a resident in place of hydrocodone as ordered. The oxycodone belonged to another resident and was not prescribed to the resident.

b. In May 2017, Licensee administered 2.5 mg diazepam to an incorrect resident.

c. In June 2017, Licensee administered a full tablet of diazepam to a resident rather than a half tablet as ordered.

d. On November 16, 2017, Licensee's employment was terminated.

3. In her written response and at the conference with the Review Panel, Licensee admitted to making controlled substance errors, but denied the errors were related to diversion or self-use.

CORRECTIVE ACTION

4. Based on the available information and the discussion at the conference, the Review Panel views Licensee's practice as failing to meet minimum standards of nursing practice under Minnesota Statutes section 148.261, subdivision 1(5) and (18), and Licensee agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify corrective action. Licensee agrees to address the concerns identified by taking the following corrective actions:

a. One-on-One Consultation. Within five months of the date of this Order, Licensee must complete one-on-one consultation with a nurse consultant. The consultation must last three hours or until such time as the evaluator determines is sufficient to achieve the learning objectives, whichever is greater. The nurse consultant must be approved by Board staff, for purposes of this Order, before the consultation begins. In order for the Board to consider approving a consultant, Licensee must submit or cause to be submitted the resume or curriculum vitae of the proposed consultant and proposed course outline. Licensee is responsible for arranging and paying for the consultation. The instruction must address 1) standards of medication and controlled substance administration, including patient identifiers and reporting medication errors; 2) standards of documentation regarding medication administration records, narcotic administration records, and handling and documentation of controlled substances; and 3) nursing ethics. The nurse consultant must submit a report directly to the Board, addressing the following:

- 1) Verification the nurse consultant has reviewed a copy of this Order;
- 2) An evaluation of Licensee's understanding of the subjects of the instruction prior to beginning the consultation;

- 3) A description of the content and method of instruction provided during the consultation;
- 4) A statement indicating what Licensee learned and achieved through the instruction and how the learning was evaluated;
- 5) Any recommendations for additional education directed at improving Licensee's nursing practice; and
- 6) Any other information the nurse consultant believes would assist the Board in its ultimate review of this matter.

b. Compliance With Consultant's Recommendations. Licensee must promptly comply with any recommendations for additional education made by the nurse consultant. Licensee must submit written documentation, such as measurable learning objectives and qualifications of the instructor, in order to receive prior approval from Board staff of classes that Licensee takes in fulfillment of this requirement. Each class must meet the continuing nursing education requirements found in Minnesota Rules 6310.2800, subpart 3. Licensee must submit verification of participation for any class taken in fulfillment of this requirement.

c. Typewritten Report. Within one month of the completion of the one-on-one consultation, Licensee must submit to the Board a typewritten report at least three pages in length addressing what she learned and achieved through the one-on-one consultation. Licensee must reflect on the situation described in section III, describe the knowledge she has gained, and describe how she will apply her knowledge to her current and future nursing practice. Licensee must cite the Minnesota Nurse Practice Act.

OTHER INFORMATION

5. Upon Licensee's satisfactory completion of the corrective action referred to above, the Review Panel agrees to dismiss the complaint(s) concerning the matters referred to in paragraphs 2 and 3 above. Licensee agrees that the Review Panel will be the sole judge of satisfactory completion. Licensee understands that if, after dismissal, the Review Panel receives

additional complaints alleging conduct similar to that referred to in the facts above, the Review Panel may reopen the dismissed complaints.

6. If Licensee fails to complete the corrective action satisfactorily or if the Review Panel receives additional complaints alleging conduct similar to that referred to in the facts above, the Review Panel may, in its discretion, reopen the investigation and proceed according to Minnesota Statutes chapters 14, 148.171 to 148.285, and 214. Licensee agrees that failure to complete corrective action satisfactorily constitutes failure to cooperate under Minnesota Statutes section 148.265 and may subject Licensee to disciplinary action by the Board.

7. The effective date of this Agreement is the date it is executed by the Review Panel. The Agreement will remain in effect until the Review Panel dismisses the complaint, unless the Review Panel receives additional information that renders corrective action inappropriate. Upon receipt of such information, the Review Panel may, in its discretion, proceed according to Minnesota Statutes chapters 14, 148.171 to 148.285, and 214.

8. Licensee understands this Agreement does not constitute disciplinary action. Licensee further understands and acknowledges this Agreement and the dismissal letter issued upon successful completion of the corrective action are classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5.

9. Licensee hereby acknowledges she has read and understands this Agreement and has agreed to enter into it. This Agreement contains the entire agreement between the Review Panel and Licensee, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.

Sharon Byro
SHARON K. BYRO, RN, LPN
Licensee

Dated: 8-7-2018, 2018

Christine K. Norton
CHRISTINE NORTON
For the Review Panel

Dated: 8-13, 2018

