

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 :
 : FINAL DECISION AND ORDER
LISA A. WADZINSKI, L.P.N., : LS0412097NUR
RESPONDENT. :

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

Lisa A. Wadzinski, L.P.N.
5913 Morning View Lane
Schofield, WI 54476

Division of Enforcement
Wisconsin Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Board of Nursing
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Wisconsin Board of Nursing (Board). The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Lisa A. Wadzinski, L.P.N. (Respondent), date of birth September 6, 1962, is duly licensed as a licensed practical nurse in the state of Wisconsin (license #28637). This license was first granted on May 28, 1986.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 5913 Morning View Lane, Schofield, WI 54476.
3. Until August 30, 2004, Respondent was employed as a licensed practical nurse at Wausau Manor, a nursing home and rehabilitation facility located in Wausau, Wisconsin.
4. On or before August 27, 2004, and while employed as a licensed practical nurse at Wausau Manor, Respondent diverted Vicodin and Tramadol for her personal use from the stock of patients residing at Wausau Manor.
5. On August 30, 2004, Respondent was terminated from her employment at Wausau Manor as a result of the diversions. On that same day, Respondent signed a form that authorized Wausau Manor to withhold her final paycheck as

partial restitution for the pharmaceuticals she diverted.

6. Respondent has agreed to surrender her license as a licensed practical nurse in the state of Wisconsin under the terms and conditions as set out in the Order, below.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter, pursuant to Wis. Stat. § 441.07(1) and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraph 4, above, violated Wis. Stats. §§ 441.07(1)(c) and (d) and Wis. Admin. Code § N 7.04(2).

3. Respondent's conduct in misappropriating drugs, as set out in the Findings of Fact, is an agency finding within the meaning of Wis. Stat. §§ 48.685(4m)(a)3 and 50.065(4m)(b)3.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The SURRENDER by Lisa A. Wadzinski, L.P.N., Respondent, of her license as a licensed practical nurse in the state of Wisconsin is hereby ACCEPTED, effective immediately.

2. Respondent shall not practice nursing in Wisconsin, including under the provisions of the Nurse Licensure Compact, without being licensed by the Board pursuant to the terms of paragraph 3, below.

3. If Respondent ever petitions the Board for any nursing credential:

a. Respondent shall be required to meet all requirements for that credential which are then required by statute and administrative rule, prior to being credentialed.

b. Respondent shall notify the Division of Enforcement (Division) at the Department of Regulation and Licensing of the request and the Division shall have the opportunity to apprise the Board of all allegations and information contained in the investigative file.

c. If the Board believes that it will be of assistance to the Board in responding to Respondent's petition:

i. Respondent shall, at her own expense, have undergone an assessment by a substance abuse professional experienced in assessing health care providers who have abused alcohol and/or drugs.

ii. The professional performing the assessment must have been approved by the Board or its designee, with an opportunity for the Division to make its recommendation, prior to the assessment being performed.

iii. Respondent shall provide the Board with the professional's written report and provide the Board with the opportunity to discuss the assessment and findings with the professional.

d. Following the presentation of information by the Division and review of any assessment requested by the Board, the Board may in its sole discretion elect to credential Respondent, with or without limitations, or to deny Respondent's petition.

e. If the Board determines to issue a credential to Respondent, Respondent's credential shall be limited in a manner to address any concerns the Board has as a result of the conduct set out in the findings of fact and to address any recommendations resulting from the assessment, including, but not limited to:

i. Drug and/or alcohol treatment, at Respondent's expense, by a professional approved by the Board, to address specific treatment goals, with periodic reports to the Board by the professional.

ii. Additional professional education in any identified areas of deficiency.

iii. Restrictions on the nature of practice or practice setting or requirements for supervision of practice, by a professional approved by the Board, with periodic reports to the Board by the supervisor.

f. If Respondent believes that the Board's denial of a credential is inappropriate or that any limitation imposed by the Board is inappropriate, Respondent may seek a class 1 hearing pursuant to Wis. Stat. § 227.01(3)(a) in which the burden shall be on Respondent to show that the Board's decision is arbitrary or capricious. The denial of credential or limitations on Respondent's credential shall remain in effect until there is a final decision in Respondent's favor on the issue.

g. Any petition for credential or request for approval of an assessor, treating professional, supervisor or educational program required by this Order shall be mailed, faxed or delivered to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Fax (608) 266-2264
Telephone: (608) 267-3817
department.monitor@drl.state.wi.us

Dated at Madison, Wisconsin this 9th day of December, 2004.

Jaqueline Johnsrud
Chairperson
Board of Nursing