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In the Matter of Disciplinary Proceedings Against
Thomas Wondolkowski, N.H.A.
Respondent
Case No. LS9812163NHA

Final Decision and Order

The parties to this proceeding for purposes of s. 227.53, Stats., are:

Thomas Wondolkowski
2620 East 4th Street
Superior WI 54880

Nursing Home Administrator Examining Board
Department of Regulation and Licensing
P.O. Box 8935
Madison WI 53708

Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison WI 53708

The parties having agreed to the attached stipulation, the Nursing Home Administrator Examining Board makes the following:

FINDINGS OF FACT

1. Thomas Wondolkowski was born on November 20, 1955, and was licensed as a Nursing Home Administrator on March 12, 1996, license number 2838. Mr. Wondolkowski allowed the license to lapse on June 30, 1998.
2. Mr. Wondolkowski was Administrator of St. Francis Home South in Superior, Wisconsin, from May 15, 1996, through May 29, 1997.
3. In February 1997 and again in March 1997, St. Francis Home South was inspected by surveyors of the Department of Health and Family Services, Bureau of Quality Assurance. As a result of those inspections, the Bureau of Quality Assurance determined that the facility administered by Mr. Wondolkowski was providing substandard quality of care to its residents.
4. On each of the February and March 1997 inspection visits, Mr. Wondolkowski was provided with a detailed statement of the deficiencies from the standards required by state and federal codes for long term care facilities.
5. Bureau of Quality Assurance inspectors returned to the facility on May 16, 1997, and discovered that the facility continued to be out of substantial compliance with federal and state requirements for quality of care in long term care facilities.

CONCLUSIONS OF LAW

1. The Nursing Home Administrator Examining Board has jurisdiction in this matter pursuant to s. 456.10, Stats.
2. Mr. Wondolkowski's failure to administer St. Francis Home South in a manner adequate to meet the standards of care required by state and federal codes for the quality of care for long term care facilities, and his failure to promptly correct deficiencies brought to his notice, constitutes practice in a manner which substantially departs from the standard of care ordinarily exercised by a nursing home administrator which harms or could have harmed a patient, contrary to s. NHA 5.02(2), Wis. Admin. Code.

ORDER

Now, therefore, the license previously issued to Thomas Wondolkowski to practice as a nursing home administrator is **SUSPENDED** indefinitely.

It is further ordered that the suspension shall remain in effect for four weeks following the date that the Board

grants a petition by Mr. Wondolkowski to re-instate the license.

It is further ordered that the Board will not consider any petition for re-instatement which does not meet the following conditions:

1. Proof that Mr. Wondolkowski has successfully completed remedial training on the topic of quality of care required of long term care facilities by 42 CFR 483, Subpart B. Mr. Wondolkowski shall be responsible for designing a program of remedial education by means of Board approved education providers. The program shall include detailed instruction in the following topics:

- a. Resident rights in a long term care facility.
- b. Resident admission, transfer, and discharge rights.
- c. Resident behavior and facility practices.
- d. Resident quality of life standards in long term care facilities.
- e. Resident assessment in long term care facilities.
- f. Quality of care standards in long term care facilities.
- g. Nursing services standards in long term care facilities.
- h. Dietary services standards in long term care facilities.
- i. Physician services standards in long term care facilities.
- j. Specialized rehabilitative services standards in long term care facilities.
- k. Dental services standards in long term care facilities.
- l. Pharmacy services standards in long term care facilities.
- m. Infection control standards in long term care facilities.
- n. Physical environment standards in long term care facilities.
- o. Administration standards in long term care facilities.

2. Mr. Wondolkowski shall obtain approval of his proposed program of remedial education from the Board or its designee before he undertakes any part of the program. The Board designates Michelle Neverman, Department Monitor, P.O. Box 8935, Madison, Wisconsin 53708 as the contact person for all communication by Mr. Wondolkowski to the Board in regard to compliance with remedial education program required by this Order.

3. Mr. Wondolkowski shall be responsible for all financial requirements of compliance with this Order.

4. Mr. Wondolkowski shall pay the costs of this proceeding, pursuant to s. 440.22, Stats., in the amount of \$350.00.

Dated this 16th day of December, 1998.

Wisconsin Nursing Home Administrator Examining Board

Shirley Keller

A Member of the Board

