

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

ROSEMARY PIONKE, LPN,
RESPONDENT

FINAL DECISION AND ORDER
LS00010712NUR

Division of Enforcement Case No. 99 NUR 228

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

*Rosemary Pionke, LPN
W9705 Seiler Road
Eldorado, WI 54932*

*Board of Nursing
PO Box 8935
Madison, WI 53708-8935*

*Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935*

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 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

1. Rosemary Pionke (D.O.B. 02/05/46) is duly licensed as a practical nurse in the state of Wisconsin (license #6262). This license was first granted on December 9, 1980.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is W9705 Seiler Road, Eldorado, WI 54932.
3. At all times relevant to this action, Respondent was working as a licensed practical nurse at Park View Health Center, 725 Butler Avenue, Winnegabo, Wisconsin.
4. On or about August 4, 1999, Respondent provided care to MR, a young male resident with Huntington's Disease. MR routinely engaged in inappropriate touching of others. In response to an observed incident of inappropriate touching, Respondent forcefully poked MR with her fingers on MR's head, shoulders and chest while asking him "How do you like that?"
5. Respondent contests the findings set forth in paragraph 4 above, but in resolution of this matter consents to the issuance of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter, pursuant to sec. 441.07, Stats.
2. The Wisconsin Board of Nursing is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Stats.
3. The conduct described above constitutes a basis for discipline under sec. 441.07(1)(d), Stats. and Wisconsin Administrative Code § N 7.04(4). Furthermore, the Findings of Fact set forth in paragraph 4 above constitute an agency finding of abuse within the meaning of secs. 48.685 and 50.065, Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the license of Rosemary Pionke shall be LIMITED as follows:

1. Within nine (9) months from the date of this order, Respondent shall submit documentation of successful completion of at least sixteen (16) hours of continuing education or other training acceptable to the Board in the areas of stress/anger management and patient management or in other areas acceptable to the Board as relevant to Respondent's rehabilitation. To be acceptable, the course or training shall be pre-approved by a member or designated agent of the Board of Nursing. Acceptable documentation shall include certification from the sponsoring organization as well as a statement signed by Respondent verifying that she attended the course in its entirety.
2. In the event that Respondent fails to timely comply with the requirements set forth in paragraph 1 above, her Wisconsin license to practice as a practical nurse shall be SUSPENDED, without further notice or hearing, until she has complied with the terms of this Order.
3. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving payment of costs and forfeitures, as well as coordinating all requests for approval of education. The Department Monitor may be reached as follows:

Department Monitor

Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 261-7938

4. This Order shall become effective upon the date of its signing.

BOARD OF NURSING

By:

Ann Brewer, RN

On behalf of the Board

January 7, 2000

Date