

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN

BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

WALTER J. KANITZ, RN,

FINAL DECISION AND ORDER

RESPONDENT

LS0204044NUR

Division of Enforcement Case No. 01 NUR 226

The parties to this action for the purposes of section 226.53 of the Wisconsin statutes are:

Walter J. Kanitz

E20321 Hwy. 52

Aniwa WI 54408

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, 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. Walter J. Kanitz (D.O.B. 11-19-65) is duly licensed as a registered nurse in the state of Wisconsin (license #121857). This license was first granted on 02-02-96.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is E20321 Hwy. 52, Aniwa, WI 54408.
3. At all times relevant to this action, Respondent worked as a licensed registered nurse at North Central Health Care Facilities ["North Central "], 1100 Lakeview Drive, Wausau, Wisconsin. North Central is a long-term care facility
4. On or about October 19, 2001, Respondent was present and attending to JB when the resident ceased breathing. JB was a 58 year old female resident of North Central with multiple medical problems, including suicidal ideation, seizure disorder, insulin dependent diabetes mellitus, chronic respiratory failure, functional paralysis (polio) and high blood pressure. Respondent failed to initiate CPR or other emergency measures in contravention of the resident's advance directives on file (from 1993).
5. In resolution of this matter, Respondent 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. 226.44(5), Stats.
3. By the conduct described above, Walter J. Kanitz is subject to disciplinary action against his Wisconsin nursing license, pursuant to sec. 441.07(1), Wis. Stats., and Wis. Admin. Code §§N7.03 (1) and N7.04 (4) and (15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Walter J. Kanitz RN (license #121857) is REPRIMANDED.

IT IS FURTHER ORDERED that the Wisconsin nursing license of Walter J. Kanitz (license #121857) is LIMITED as follows:

1. Respondent shall comply with all statutes and code provisions relating to the practice of nursing.

Education Requirement

2. Within twelve (12) months from the effective date of this Order, Respondent shall submit documentation of successful completion of at least twelve (12) hours of continuing nursing education approved by the Board in the subject areas of patient rights, legal aspects of nursing and legal advance directives. To be acceptable, a course 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 he attended the course in its entirety.

Required reporting

3. For a period of at least one [1] year from the date of this Order, Respondent shall arrange for quarterly reports from his nursing employer(s) reporting the terms and conditions of his employment and evaluating his work performance. These reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing Division of Enforcement.

4. Respondent shall notify the Department Monitor of any change of employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.

Department Monitor

5. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving reports and coordinating all requests for approval of education or other petitions. The Department Monitor may be reached as follows: Department Monitor c/o Division of Enforcement, PO Box 8935, Madison, WI 53708-8935. TEL (608) 267-3817 FAX (608) 266-2264.

Petition for Termination of restrictions

6. Upon completion of: one [1] year of complete, successful and continuous compliance with the terms of this Order that includes one [1] year of nursing employment under the terms of this Order; Respondent may petition the Board for a return to full and unconditional licensure. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of Wis. Stats. §§226.01(3) and 226.42.

Agency Caregiver Finding

7. If Respondent fails to fully and completely comply with all terms and conditions set forth above or if the Department receives a subsequent credible allegation against Respondent of abuse, neglect or misappropriation, the Department Monitor shall without further notice or hearing notify the Wisconsin Department of Health and Family Services that the findings set forth in this Order shall thereafter constitute an agency finding of neglect for the purposes of secs. 48.685 and 50.065, Wis. Stats. Respondent shall then REFRAIN from any nursing employment in any facility licensed by the Wisconsin Department of Health and Family Services until such time as Respondent successfully completes a rehabilitation review administered by DHFS.

SUMMARY SUSPENSION

8. Violation of any of the terms of this Order may in addition be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license pursuant to

the procedures set forth in Wis. Admin. Code RL Ch. 6. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

Effective date of Order

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

BOARD OF NURSING

By: Linda Sanner

4-4-02

On behalf of the Board

Date