

# 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/wscca>.
- 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](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY       :		
PROCEEDINGS AGAINST                               :		
		FINAL DECISION AND ORDER
ROSE K. ANSTETT, LPN,	:	LS0210041NUR
RESPONDENT	:	

Division of Enforcement Case No. 01 NUR 113

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

Rose K. Anstett  
2911 Wellington Street  
Duluth MN 55806

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. Rose K. Anstett (D.O.B. 07/23/1947) is duly licensed as a practical nurse in the state of Wisconsin (license #32301). This license was first granted on 02/10/1944.
2. Respondent’s most recent address on file with the Wisconsin Board of Nursing is 2911 Wellington Street, Duluth, MN 55806.

3. At all times relevant to this action, Respondent was working as a practical nurse at Southdale Health Care ["Southdale"], 3712 Tower Avenue, Superior, Wisconsin.

4. On or about February 12, 2001, Respondent approached AH, an elderly resident assigned to respondent's care, about the resident's request for pain medication. Respondent addressed AH with an elevated tone and in an angry and confrontational manner.

5. On exact dates unknown, but on several occasions in the first quarter of 2001, Respondent provided AH's medication to the AH's granddaughter for administration to AH.

6. For the purpose of resolution of this matter, Respondent consents to 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. By the conduct described above, Rose K. Anstett is subject to disciplinary action against her Wisconsin nursing license, pursuant to sec. 441.07(1), Wis. Stats., and Wis. Admin. Code § N7.04.

## **ORDER**

**NOW, THEREFORE, IT IS HEREBY ORDERED** that Rose K. Anstett LPN (license #32301) is REPRIMANDED.

**IT IS FURTHER ORDERED** that the Wisconsin nursing license of Rose K. Anstett (license #32301) is LIMITED as follows:

### **Practice restrictions**

1. Until otherwise ordered by the Board

a. Respondent shall practice only in settings where she works under supervision by another nurse or other licensed health care professional;

b. Respondent shall refrain from nursing employment as a pool nurse; and

c. Respondent shall refrain from nursing employment as a visiting nurse or other home care practitioner

## **Continuing Education/ Therapy**

2. Within six (6) months from the date of this order, Respondent shall submit documentation of successful completion of at least twelve (12) hours of therapy, continuing education, or other training acceptable to the Board in the areas of anger and stress management. To be acceptable, the course, therapy, or training shall be 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 her attendance and completion of course and/or therapy requirements.

3. Within ninety [90] days from the date of this order, Respondent shall submit acceptable documentation of successful completion of the University of Wisconsin School of Nursing continuing education program entitled "Legal Issues for Nurses in Today's Health Care Environment".

4. Respondent shall be responsible for all expenses incurred for training and other reporting as required by this order.

5. Following completion of the continuing education, therapy, or other training referred to above, Respondent shall submit an evaluation of the training to the Division of Enforcement to assist the Division in developing future disciplinary policies and guidelines.

### **Required reporting**

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

7. 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**

8. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including coordinating submission of 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

## Agency Caregiver Finding

9. 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.

### Petition for Termination of restrictions

10. 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 to revise or eliminate any of the above conditions. 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. §§227.01(3) and 227.42.

### SUMMARY SUSPENSION

**11. 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

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

BOARD OF NURSING

By: Linda Sanner

10-04-20-02

On behalf of the Board

Date