

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
DAWN E. DANIELSKI, R.N.	:	LS0406104NUR
RESPONDENT	:	

Division of Enforcement Case No. 02 NUR 110

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

Dawn E. Danielski
3188 High Country Court
Green Bay, WI 54313

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. Dawn Danielski (Date of Birth: July, 25, 1962) is duly licensed as a Registered Nurse in the state of Wisconsin (license #118869). This license was first granted on February, 22, 1995.

2. Ms. Danielski's most recent address on file with the Wisconsin Board of Nursing is 3188 High Country Court, Green Bay, WI 54313

3. Between March 22, 2002 and November 14, 2002, the Respondent was an employee of Highland Healthcare in Green Bay, Wisconsin. The Respondent was also employed by two other healthcare facilities. During this time, the Respondent frequently worked seventy-two (72) hour shifts between her three employers without any breaks. The Respondent fell asleep several times while she was on duty, which exposed patients in her care to harm and neglect.

4. In resolution of this matter, Ms. Danielski 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, Wis. Stats.

2. The Wisconsin Board of Nursing is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Wis. Stats.

3. The conduct described in Finding of Fact 3, above, violated §N 7.04 (4) and (15), Wis. Adm. Code and sec. 441.07(1)(d), Wis. Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Dawn Danielski, R.N., be **REPRIMANDED**. It is also ordered that the Wisconsin license (#118869) of Dawn Danielski to practice as a registered nurse is hereby **LIMITED** as follows:

Required reporting

1. For a period of at least one [1] year from the date of this Order, Ms. Danielski 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.
2. Ms. Danielski 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.

Reporting by Respondent

3. Ms. Danielski shall be responsible for compliance with all of the terms and conditions of this Final Decision and Order. It is the responsibility of Ms. Danielski to promptly notify the Department Monitor of any violation or potential violation of any of the terms and conditions of this Order.

Practice Restrictions

4. Until otherwise ordered by the Board of Nursing:
 - a. Ms. Danielski shall practice only in settings where she works under supervision acceptable to the Board;
 - b. Ms. Danielski shall only work a maximum of sixty (60) hours in one work week and not more than sixteen (16) hours in one work day, and shall not work night shifts (between 11:30 pm and 4:00 am),
 - c. Ms. Danielski shall not work as a “pool nurse.”
 - d. Ms. Danielski may continue working for Medical Staffing Network, 445 S. Madison, Green Bay, Wisconsin 54301-4126, but must provide a copy of the Order to each and every facility she works at.
 - e. Ms. Danielski shall not perform any home health care.

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. 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) 267-3817

Agency Caregiver Finding

6. 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.

Termination of restrictions

7. 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.

SUSPENSION

8. **Violation of any of the terms of this Order may 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:	Jacqueline Johnsrud	6-10-04
	On behalf of the Board	Date