

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :
 : FINAL DECISION AND ORDER
NORMA K. GORDON, RN, APNP : LS0606088NUR

(05NUR101)

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Norma K. Gordon, RN, APNP
1228 Webster Ave.
Eau Claire, WI 54701

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Medical Examining Board
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 Wisconsin Board of Nursing. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Norma K. Gordon, RN, APNP, Respondent herein, date of birth 10/19/37, was duly licensed in the state of Wisconsin as a registered nurse, license #34944, and was certified as an advanced practice nurse prescriber, certification #878. The license to practice as a registered nurse was first granted on 12/8/58. The certification to practice as an advanced practice nurse prescriber was first granted on 8/6/97.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 1228 Webster Avenue, Eau Claire, Wisconsin 54701.

3. At all times relevant to this action, Respondent was practicing as a registered nurse, advanced practice nurse prescriber and nurse anesthetist.

4. The Wisconsin Board of Nursing currently has a case under investigation, investigative file 05NUR101.

5. 05NUR101 involves an incident which occurred in the operating room at Luther Hospital in Eau Claire, Wisconsin while Respondent was acting as a nurse anesthetist under the direction and supervision of an anesthesiologist. The patient was undergoing a surgical procedure under general anesthesia for removal of a polyp on his vocal cords. The complaint alleges that Respondent failed to adequately monitor the oxygen concentration levels being administered to the patient while a laser was in use to cauterize bleeding sources in the patient's throat. The complaint further alleges that the oxygen levels being administered to the patient at the time the laser was fired caused the endotracheal tube that was in place to ignite resulting in thermal injuries to the patient's throat.

6. Respondent is currently retired from the practice of nursing. Respondent, in consideration of her retirement, tenders the voluntary surrender of her license to practice as a registered nurse and her certification to practice as an advanced practice nurse prescriber in the state of Wisconsin.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter, pursuant to Wis. Stat. § 441.07, and is authorized to enter into the attached Stipulation and Final Decision and Order, pursuant to Wis. Stat. § 227.44(5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The voluntary surrender of Norma K. Gordon's license to practice as a registered nurse, license #34944, and the voluntary surrender of her certification to practice as an advanced practice nurse prescriber, certification #878, in the state of Wisconsin are hereby accepted as the full and final resolution of pending investigation 05NUR101.

IT IS FURTHER ORDERED that

2. Norma K. Gordon will not make reapplication for a license to practice as a registered nurse or for a certification to practice as an advanced practice nurse prescriber in the state of Wisconsin at any time in the future, and will not practice or attempt to practice as a registered nurse, as an advanced practice nurse prescriber or as a nurse anesthetist in the state of Wisconsin at any time in the future.

3. This Order is effective on the date of its signing.

Wisconsin Board of Nursing

By: Marilyn Kaufmann
A Member of the Board

6/8/06
Date

IN THE MATTER OF THE LICENSE OF :
:
:
NORMA K. GORDON, RN, APNP : STIPULATION
: LS# _____
:

(05NUR101)

It is hereby stipulated between Norma K. Gordon, RN, APNP, Respondent herein, and by her attorney, Todd A. Pauls; and Gilbert C. Lubcke, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of pending investigation of Respondent's licensure by the Division of Enforcement, case 05NUR101. Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Respondent understands that by signing this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.

3. Respondent has obtained advice of legal counsel prior to signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing. The parties to this Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Wisconsin Board of Nursing, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Wisconsin Board of Nursing, the parties agree not to contend that the Board has been prejudiced or biased in any manner by consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Wisconsin Board of Nursing ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or her attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Wisconsin Board of Nursing adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Enforcement joins Respondent and Respondent's attorney in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Norma K. Gordon
1228 Webster Ave.
Eau Claire, WI 54701

Date

Todd A. Pauls
Attorney for Norma K. Gordon
Losby & Pauls
130 South Barstow St., Suite 2C
Eau Claire, WI 54701

Date

Gilbert C. Lubcke, Attorney
Division of Enforcement
Wisconsin Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Date

Case #: 05NUR101
Forfeiture: \$0.00
Costs: \$0.00
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