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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
JENNIFER L. GUSTAFSON, R.N.,	:	LS # 0607281 NUR
RESPONDENT.	:	

[Division of Enforcement Case # 06 NUR 092]

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

Jennifer L. Gustafson
W10207 County Road JJ
Wautoma, WI 54982

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

Board of Nursing
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 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. Jennifer L. Gustafson, R.N., (“Respondent”) was born on March 17, 1975, and is licensed as a registered nurse in the state of Wisconsin, pursuant to license number 129066, first granted on March 24, 1998.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is W10207 County Road JJ, Wautoma, Wisconsin 54982.
3. By virtue of a Final Decision and Order issued by the Board of Nursing on June 9, 2005, in case LS 0506091 NUR, Respondent was found to have violated Wis. Stat. s. 441.07(1)(c) and Wis. Admin. Code s. N 7.03(1)(b) by administering an incorrect medication in a patient’s Patient Controlled Analgesia machine.
4. Respondent was ordered to pay the costs of the proceeding leading to the issuance of the Final Decision and

Order on June 9, 2005, in the amount of \$482.54 no later than September 9, 2005, and to complete six hours of continuing education in medication administration by March 9, 2006.

5. Respondent did not comply with the Order to pay the costs, and the Department Monitor sent her a reminder notice by mail on September 27, 2005. Respondent admits that she received this reminder, but asserts that it did not apply to her because she had not received the Order of June 9, 2005.

6. Respondent still did not comply with the Order to pay costs, and did not comply with the Order for continuing education.

7. On July 28, 2006, the Division of Enforcement filed a formal Complaint against Respondent, alleging that she had violated the Board's June 9, 2005, Order.

8. On August 18, 2006, Respondent filed an Answer to the Complaint, admitting that she had not complied with the Board's Order of June 9, 2005, and admitting that she had received a reminder notice from the Department Monitor. Respondent asserts that she did not know that the June 9, 2005, Order had been entered, because she had never received a copy of it.

9. The copy of the June 9, 2005, Order that had been mailed to Respondent, properly addressed and bearing sufficient postage on June 10, 2005, certified, return receipt requested, was returned to the Department by the U.S. Postal Service unclaimed.

10. Respondent admits that she is in violation of Order of June 9, 2005, but states that she is disabled and unable to attend a class or a convention to complete the required continuing education.

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 Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 5 and 6, above, constitutes a violation of Wisconsin Administrative Code § N .04(14).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license of Jennifer L. Gustafson, R.N., to practice professional nursing in the State of Wisconsin is hereby SUSPENDED for an indefinite period, ending on the date the Board of Nursing issues an Order re-instating the license on proof of compliance with all requirements of both the June 9, 2005, Order, and this Order.

IT IS FURTHER ORDERED that:

2. Respondent shall, within 90 days from the date of this Order, pay costs of this proceeding in the amount of Three Hundred Forty Five (\$345.00) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817

3. 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. 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.

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

Wisconsin Board of Nursing

By: Marilyn Kaufmann
A Member of the Board

10/12/2006
Date