

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
KRISTA M. DEMOSKE, L.P.N., :  
RESPONDENT. : ORDER 0000293

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Division of Enforcement Case # 10 NUR 155

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

Krista M. Demoske, L.P.N.  
W 8062 Randallwood Lane  
Fond du Lac, WI 54937

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. Krista M. Demoske, L.P.N., (DOB 09/22/1986) is duly licensed as a practical nurse in the State of Wisconsin (license # 31-309151). This license was first granted on August 22, 2007.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is W 8062 Randallwood Lane, Fond du Lac, Wisconsin, 54937.

3. On or about March 13, 2010, Respondent was attempting to administer medications to an agitated dementia patient. The patient stated "you know where you can shove them." Respondent replied, "I know I could shove them up your mouth."

4. Later, when the patient spit the pills out, Respondent picked them up off the floor and put them in ice cream to give to him.

5. Respondent disagrees with these findings of fact and enters into this stipulation and order only for purposes of resolving this matter without further litigation.

#### 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 3-4 above constitutes a violation of Wisconsin Administrative Code §§ N 7.03(1) and N 7.04(4), and subjects Respondent to discipline pursuant to Wis. Stat. §§ 441.07(1)(c) and (d).

#### ORDER

##### IT IS ORDERED:

1. Respondent, Krista M. Demoske, L.P.N., is REPRIMANDED for the above conduct.

2. Respondent's license to practice nursing in the State of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, is LIMITED as follows:

a. Respondent, at her own expense, shall complete four (4) hours of pre-approved continuing education in medication administration and four (4) hours of pre-approved continuing education in dementia and patient rights, within 90 days of the date of this Order. Respondent is responsible for finding appropriate courses and submitting the course information to the Board for approval prior to taking the course and in sufficient time to obtain board approval within the 90-day time frame, taking into account the Board's meeting schedule.

b. Respondent shall immediately provide a copy of this Order to all nursing employers. For a period of at least two (2) years 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, at P.O. Box 8935, Madison, Wisconsin, 53708-8935.

c. Respondent shall notify the Department Monitor of any change of nursing 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.

3. If Respondent fails to fully and completely comply with all terms and conditions of this Order, 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 Wis. Stat. §§ 48.685 and 50.065. 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.

4. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$100.00 pursuant to Wis. Stat. § 440.22(2).

5. Requests for approval, notification of completion of educational programs and payment shall be faxed, mailed or delivered to:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax (608) 266-2264  
Telephone (608) 267-3817

6. 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. In the event that Respondent fails to pay costs as ordered or fails to comply with the ordered continuing education, Respondent's license may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

Wisconsin Board of Nursing

By: Fatemeh Souri  
A Member of the Board

7/22/10  
Date