

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
VICKIE L GONZALES, L.P.N.,	:	
RESPONDENT.	:	ORDER 0000457

Division of Enforcement Case # 09 NUR 174

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

Vickie L Gonzales, L.P.N.
10694 Sumac Lane
Sister Bay, WI 54234

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. Vickie L Gonzales (D.O.B. 5/14/1952) is duly licensed in the state of Wisconsin as a practical nurse (license # 15379). This license was first granted on 12/10/1974.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 10694 Sumac Lane, Sister Bay, Wisconsin, 54234.

3. On 5/28/2009 Respondent failed to properly collect a urine sample from a patient and instead drew a sample of water. Respondent did not realize her mistake until a CNA brought it to her attention; after it was brought to her attention, Respondent drew a proper sample.

4. On 5/29/2009 Respondent prevented a CNA from contacting hospice, as the CNA had been instructed to do by complainant, for a patient needing a catheter changed; Respondent failed to ensure that she was completely informed of the patient's situation thereby causing the patient to suffer unnecessarily for the period of time before Complainant contacted hospice to have the patient's catheter changed.

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 subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(c).

ORDER

IT IS ORDERED:

1. Vickie L Gonzales, L.P.N., is REPRIMANDED.

2. The license of Vickie L Gonzales, L.P.N., 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 three (3) hours of pre-approved continuing education in catheter care and three (3) hours of pre-approved continuing education in specimen collection, 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. For a period of at least two (2) years from the date of this order, Respondent shall work only under direct supervision, and only in a

work setting pre-approved by the Board. Respondent shall not work in a home health, agency or pool position.

- c. 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.
- d. Pursuant to Uniform Nurse Licensure Compact regulations, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation. This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and the regulatory board in the state in which Respondent proposes to practice.

3. Respondent shall, within 120 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of Five Hundred Dollars (\$500.00), pursuant to Wis. Stat. § 440.22(2).

4. All payments, reports and other correspondence shall be directed to the Department Monitor, as follows:

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

5. 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 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.

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

Wisconsin Board of Nursing

By: Karen Auer
A Member of the Board

10-14-10
Date