

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
CHESTER T. BOROWSKI, R.N., :
RESPONDENT. : *ORDER 0000830*

Division of Enforcement Case # 10 NUR 181

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

Chester T. Borowski, R.N.
N 1190 Peters Road
Sharon, WI 53585

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. Chester T. Borowski, R.N., (DOB 9/2/1957) is duly licensed as a registered nurse in the State of Wisconsin (license # 30-119274). This license was first granted on March 22, 1995.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is N 1190 Peters Road, Sharon, Wisconsin, 53585.

3. At all relevant times, Respondent worked as a registered nurse at Mendota Mental Health Institute, Maximum Forensics Treatment Unit.

4. Respondent's peer report that on numerous occasions, he would coax patients to take their oral medications by threatening to inject them with a syringe full of prune juice as an alternative. Respondent states that he would display the syringe filled with prune juice to gain the patient's attention, then put the syringe down and explain to the patient his or her option to take the medication orally or by force if court ordered to do so.

5. Respondent's peers reported that on numerous occasions, they observed him withholding PRN medications to punish patients. Respondent states that on occasion, he would delay giving medications to patients until the patient complied with rules and returned to his or her room, then he would give the medication.

6. Respondent's peers report that on numerous occasions, they observed him exhibiting frustration with patients and staff, for example by slamming and throwing charts, swearing under his breath, and walking away while others were talking to him. Respondent acknowledges that on one occasion, he slammed a medication room door on a patient to disengage from the patient. He apologized to the patient after this occurred. He also states that on occasion, he would walk away from patients while they were talking to him to disengage the patient if the patient was engaging in inappropriate behavior.

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 4-6 above constitutes a violation of Wisconsin Administrative Code § N 7.04(4) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(c).

ORDER

IT IS ORDERED:

1. The license of Chester T. Borowski, R.N., to practice nursing in the State of Wisconsin, and his privilege to practice in Wisconsin pursuant to the Multi-State Nursing Compact, is indefinitely **SUSPENDED**. Respondent may petition for reinstatement of his license after undergoing a psychological evaluation, at his own expense.

- (a) Respondent must submit professional information regarding the evaluating psychologist for approval by the Board prior to the evaluation. The evaluating psychologist must not have treated Respondent at any time and shall have been approved by the Board, with an opportunity for the Division to make its recommendation, prior to the evaluation being performed.
- (b) The Division shall provide the evaluating psychologist and Respondent with those portions of the investigative file which the Division believes may be of assistance in performing the evaluation. Respondent may provide the evaluating psychologist with any information Respondent believes will be of assistance in performing the evaluation and shall immediately provide copies of that information to the Division.
- (c) Respondent shall authorize the evaluating psychologist to provide the Board, or its designee, and the Division with the evaluation report and all materials used in performing the evaluation and shall provide the Board, or its designee, and the Division with the opportunity to discuss the evaluation and findings with the evaluating psychologist.
- (d) If the evaluating psychologist shows, to the Board's satisfaction, that Respondent is safe to practice nursing, the Board shall lift the suspension. However, the Board may limit Respondent's license in any manner it sees fit to address the facts above and any recommendations resulting from the assessment, including but not limited to direct supervision and quarterly employer work reports.
- (e) Prior to the end of the suspension, Respondent, at his own expense, shall have completed six (6) hours of pre-approved continuing education in patient's rights to refuse medication. Respondent is responsible for finding an appropriate course and submitting the course information to the Board for approval prior to taking the course.
- (f) Prior to the end of the suspension, Respondent, at his own expense, shall have completed six (6) hours of pre-approved continuing education in anger management and six (6) hours of pre-approved continuing education in interpersonal skills for nurses, within 180 days of the date of this Order. Respondent is responsible for finding an appropriate course and submitting the course information to the Board for approval prior to taking the course.

2. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of Four Hundred Dollars (\$400.00). 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
Fax (608) 266-2264

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

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

Board of Nursing

By: 
A Member of the Board

5-5-11
Date