WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY : PROCEEDINGS AGAINST :

FINAL DECISION AND ORDER

JULIE L. CAPODARCO, L.P.N., RESPONDENT.

Order _____ORDER 0000975

Division of Enforcement Case No. 11NUR112

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

Julie L. Capodarco 6912 30th Ave. Kenosha WI 53142

Wisconsin Board of Nursing P.O. Box 8935 Madison, WI 53708-8935

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

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. The Board has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

- 1. Respondent Julie L. Capodarco, L.P.N., (D.O.B. 5/7/1970) is duly licensed in the state of Wisconsin as a licensed practical nurse (license no. 301732-31). This license was first granted on September 2, 1998.
- 2. Respondent's address of record on file with the Board of Nursing is 6912 30th Ave, Kenosha, WI 53142.
- 3. While Respondent was employed at the Terrace at St. Francis in Milwaukee, WI, on February 24, 2011, the following occurred:

- a. Patient/Resident G at the Terrace at St. Francis had an order for 650 mg Tylenol and Vicodin. Respondent gave the Patient/Resident G 500 mg Tylenol instead of 650 mg and placed the Vicodin in a separate cup without giving it to the Patient/Resident G.
- b. Respondent was required to submit to drug testing. The results were negative for drugs or alcohol.
- c. All medication at the Terrace at St. Francis was accounted for.
- d. When questioned about the incident, Respondent admitted to not following procedure and willfully administering the wrong dosage of Tylenol on more than one occasion.
- e. As a result of the incident, Respondent's employment with the Terrace at St. Francis was terminated.
- 4. Respondent has a past substance abuse history and was subject to a previous Board of Nursing Order (case no. 06NUR391) which was closed after Respondent completed her program.
- 5. On May 2, 2011, Respondent completed a voluntary AODA assessment with no finding of abuse or impairment and no indications of need for further treatment.

CONCLUSION OF LAW

By the conduct described above, Respondent is subject to disciplinary action against her license to practice as a nurse in the state of Wisconsin, pursuant to Wis. Stat. § 441.07(c), and Wis. Admin. Code § N 7.03(1)(d).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Julie L. Capodarco, L.P.N., is **REPRIMANDED** for her unprofessional conduct in this matter.

IT IS FURTHER ORDERED that:

- 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. Within ninety (90) days of the date of this order, Respondent, at her own expense, shall complete four (4) hours of pre-approved continuing education addressing safe medication administration practice. Respondent is responsible for finding

appropriate course(s) and submitting the course information to the Board, or its designee, 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.

- 3. Respondent shall, within 90 days of the date of this Order, pay the COSTS of this proceeding in the amount of Three Hundred and Thirty-Two Dollars (\$332.00). Payment of costs shall be made payable to the Wisconsin Department of Regulation and Licensing and sent to the Department Monitor at the address below.
- 4. Any requests, evidence of completion of educational program(s) and payment shall be mailed, faxed 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

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 or provide proof of completion of education as ordered, 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 payment of the costs and provided proof of completion of education.

WISCONSIN BOARD OF NURSING

By: Week RUAPUP 761/1

A Member of the Board Date