

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
LISA A. TROCINSKE, R.N.,	:	
RESPONDENT.	:	ORDER 0001324

Division of Enforcement Case No. 11NUR501

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

Lisa A. Trocinske, R.N.
6381 Placer Drive
Las Vegas, NV 89103

Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Board of Nursing
Department of Safety and Professional Services
1400 East Washington Avenue
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 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. Lisa A. Trocinske, R.N., (DOB 08/11/1980) is licensed as a professional nurse in the State of Wisconsin (license no. 167237-30). This license was first granted on January 13, 2010.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 6381 Placer Drive, Las Vegas, NV 89103. Upon information and belief, Respondent currently resides at 5255 Barbara Way, Las Vegas, NV 89119.

3. Respondent underwent a random employment drug screen and tested positive for controlled substances for which Respondent did not have a prescription.

4. On September 15, 2011, the Nevada State Board of Nursing issued an Agreement for Probation ("Agreement") placing Respondent's Nevada license to practice as a professional nurse on probation with an active/restricted licensure status for a minimum of three years. The probation includes the following terms:

- a. Completion of Nevada Nurse Practice Act Course:
 - i. Respondent shall take and successfully complete the Nevada Nurse Practice Act course within 30 days of the date of the Agreement;
- b. Education Requirements:
 - i. Respondent, within three months of the Agreement, shall take and successfully complete pre-approved courses in Legal ethics in nursing for a minimum of 25 contact hours and Substance abuse for a minimum of 25 contact hours;
- c. Abstinence and drugs testing:
 - i. Respondent shall abstain from the use of alcohol and all mood-altering drugs and controlled substances except when legally prescribed by a treating practitioner who is knowledgeable about the disease of addiction and the Respondent's history;
 - ii. Respondent shall register with the Board-approved urine drug-screening program and submit to random urine, blood or other tests for drugs of abuse and/or alcohol on the day requested by the drug testing company, her counselor, or representative by the Board;
- d. Participation in board-approved aftercare program:
 - i. Respondent shall participate in a Board-approved aftercare program for a minimum of one year. Such program shall include a minimum of weekly aftercare group sessions and individual counseling not less than twice per month.
- e. Counselor reports due quarterly:
 - i. Respondent shall have a Board approved substance abuse counselor, or other state licensed counselor, associated with her aftercare program who shall submit progress reports related to the plan of treatment every three months, and identify at the completion of one year of the aftercare program whether Respondent needs to continue in aftercare or other counseling;
- f. Attendance at meetings and submission of quarterly reports to the board:

- i. Respondent shall comply with required attendance at meetings and shall cause all reports to be submitted in writing to the Board on a quarterly basis;
 - ii. Respondent shall (1) attend a minimum of two meetings per week of Alcoholics Anonymous (“AA”) or Narcotics Anonymous (“NA”) and shall submit documentation of all meetings attended whether working or not; (2) cause her AA or NA sponsor to submit reports addressing Respondent’s progress in recovery on forms provided by the Board whether working or not; (3) attend weekly meetings of a Board-approved Nurse Support Group and submit documentation of all meetings attended whether working or not; (4) submit self reports in a detailed format as provided by the Board, whether working or not; and (5) cause her direct nursing supervisor to submit written reports to the Board addressing work attendance, reliability, nursing competence, and any other information the supervisor identifies as appropriate to report to the Board for evaluation of compliance;
- g. Limitations and restrictions on employment:
 - i. The Board shall approve all employment sites requiring a nursing license/certificate (including changes within the same worksite or unit) prior to commencement of work;
- h. Requirements to attend orientation and meet with the board or staff:
 - i. Respondent shall attend a mandatory orientation meeting to facilitate understanding and accountability of the terms and conditions of this Agreement as scheduled by the Compliance Coordinator;
- i. Financial responsibilities and monitoring fees due monthly:
 - i. Respondent shall be financially responsible for all requirements of this Agreement, including any financial assessments by the Board for the cost of monitoring her compliance with this Agreement;
- j. Notification of action and reporting to national disciplinary data banks:
 - i. Respondent shall notify any other state Board of Nursing or other regulatory agency in whose jurisdiction she has been issued a nursing license/certificate (current or not), or has applied or will apply for a license/certificate of this disciplinary action by the Board;
- k. Violations of the agreement – consequences:
 - i. Respondent acknowledges that if she violates any of the terms and conditions of this Agreement, the Board may revoke, or invoke other appropriate discipline against her license/certificate to practice nursing, subject to a hearing in accordance with the Nevada Nurse Practice Act for the purpose of establishing that there has, in fact, been a violation of the stipulations of this Agreement;

- l. Agreement to surrender license and/or certificate:
 - i. In the event that a violation of the terms and conditions of this Agreement is alleged, Respondent agrees to surrender her license/certificate to the Executive Director, or the Compliance Coordinator, if they so request, and refrain from practicing nursing until entry of a final order of the Board or a court of competent jurisdiction, whichever last occurs, regarding a potential violation;
- m. Completion and termination of probation:
 - i. Respondent shall only receive credit toward service of her probation period while employed in a capacity for which nursing licensure/certification is required and subject to adequate supervision approved by the Board. Respondent acknowledges she is not eligible for early termination of this Agreement.

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 and 4 above constitutes a violation of Wisconsin Administrative Code §§ N 7.03(2), and 7.04(2) and (7), and subjects Respondent to discipline pursuant to Wis. Stat. §§ 441.07(1)(c) and (d).

ORDER

IT IS ORDERED:

1. Lisa A. Trocinske, R.N., is REPRIMANDED.
2. The license of Lisa A. Trocinske, R.N., to practice nursing in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:
 - a. Respondent shall, at all times, comply with all terms of the Agreement issued by the Nevada State Board of Nursing on September 15, 2011. Respondent shall provide written verification to the Board, or its designee, of continuing compliance with the Order on February 1, 2012 and at three-month intervals thereafter until the terms of the Agreement are completed.

- b. Respondent shall submit, or cause to be submitted, to the Board all documentation submitted to the Nevada State Board of Nursing that demonstrates compliance of the Agreement.
- c. Respondent shall notify the Department of Safety and Professional Services of any changes to the Agreement within 10 days of the change.

3. Upon Respondent providing proof sufficient to the Board, or its designee, that she has successfully complied with all terms and conditions of the Agreement issued by the Nevada State Board of Nursing, the Board or its designee shall issue an Order removing this limitation of Respondent's license.

4. Respondent shall, within one hundred twenty (120) days of the date of this Order, pay to the Department of Safety and Professional Services costs of this proceeding in the amount of Two Hundred Dollars (\$200.00) pursuant to Wis. Stat. § 440.22(2).

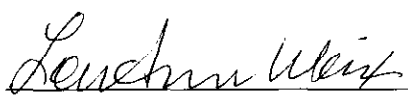
5. All petitions, payments, reports and other correspondence shall be mailed or delivered to:

Department Monitor
Department of Safety and Professional Services
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, Respondent's license (no. 167237-30) 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: 
A Member of the Board

1/26/12
Date