

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
MICHELLE M. SPATAFORA, R.N.,	:	
RESPONDENT.	:	<u>ORDER 0001442</u>

[Division of Enforcement Case #11 NUR 271]

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

Michelle M. Spatafora, R.N.
2515 W. Edgar Avenue
Antioch, IL 60002

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 (Board). 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. Michelle M. Spatafora, R.N., ("Respondent") was born on January 1, 1971 and is licensed as a registered nurse in the State of Wisconsin (license #164993-30). This license was first granted on August 12, 2008.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 2515 W. Edgar Avenue, Antioch, IL 60002.

3. At all times relevant, Respondent was employed as a registered nurse at Aurora Medical Center in Kenosha, Wisconsin.

4. On May 17, 2011, a patient requested pain medication. The registered nurse on duty rejected the request for Vicodin based on documentation that the patient had received one at 8:00 p.m. the night before. The patient insisted that she not receive any pain medication.

5. An investigation of this incident revealed that Respondent dispensed two Vicodin tablets at 8:00 p.m. and clocked out from her shift at 8:01 p.m. Respondent charted that the patient received the two Vicodin tablets at 8:00 p.m.

6. Further review of Respondent's narcotic administration revealed a number of discrepancies. When questioned about the medications, Respondent admitted to diverting narcotics for her own use.

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 above constitutes unprofessional conduct as defined by Wis. Admin. Code §§ N 7.04(1) and (2) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation of the parties is approved.

IT IS FURTHER ORDERED that:

2. The Board accepts the resignation and surrender of Respondent's license (#164993-30) and all rights and privileges attendant to the license.

3. Within fourteen (14) days of the date of this Order, Respondent shall mail or physically deliver all indicia of Wisconsin nursing licensure to the Department Monitor at:

Department Monitor
Wisconsin Department of Safety and Professional Services

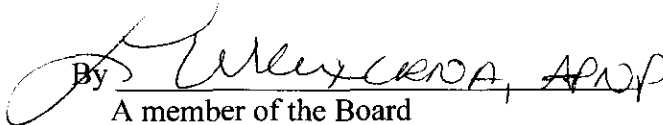
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935
Fax: (608) 266-2264
Telephone: (608) 267-3817

4. Respondent shall not practice or attempt to practice nursing in the State of Wisconsin when not currently licensed. Should Respondent ever apply to the Board for any credential:

- a. Respondent shall provide proof sufficient to the Board that she does not suffer from any alcohol or drug related condition which impairs her ability to practice as a nurse.
- b. The Board may, in its sole discretion, determine whether, and under what terms and conditions, a license may be issued.
- c. Respondent shall, prior to becoming credentialed, pay to the Department of Safety & Professional Services costs of this proceeding in the amount of FOUR HUNDRED FIFTY DOLLARS (\$450.00), pursuant to Wis. Stat. § 440.22(2).

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

Board of Nursing

By 
A member of the Board

3/22/12
Date