

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST

ELIZABETH M. GABRYEL, R.N.,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
: **ORDER 0001996**  
:

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Division of Enforcement Case No. 11NUR626

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

Elizabeth M. Gabryel, R.N.  
839 Ash Street  
De Pere, WI 54115

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. Elizabeth M. Gabryel, R.N., (DOB 11/21/1980) is licensed as a professional nurse in the State of Wisconsin (license no. 159074-30). This license was first granted on August 1, 2007.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 839 Ash-Street, De Pere, WI 54115.

3. At all times relevant, Respondent was working as a professional nurse at St. Mary's Hospital in Green Bay, Wisconsin.

4. While working in the baby nursery, Respondent removed Baby A from its bassinette and placed Baby A in a baby swing. Respondent was rocking Baby B and inadvertently placed Baby B in Baby A's bassinette, and placed Baby A in Baby's B bassinette.

5. The babies were later taken to the incorrect parents and one of the babies was breastfed from the wrong mother. A father noted that the baby in their room had an umbilical cord clamp that was not there the day before. The nurse checked the verification band and discovered the baby was in the wrong room.

6. Respondent's employment was terminated for her failure to follow Hospital policy that requires verifying identification bands with each infant and mother during every interaction.

#### 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 4-5 above constitutes a violation of Wisconsin Administrative Code § N 7.03(1)(b) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(c).

#### ORDER

##### IT IS ORDERED:

1. Elizabeth M. Gabryel, R.N., is REPRIMANDED.

2. The license of Elizabeth M. Gabryel, 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, at her own expense, shall complete four (4) hours of pre-approved continuing education in professional accountability; and 4 hours of pre-approved continuing education in critical thinking, within 90 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 and in sufficient time to obtain board approval within the 90-day time frame, taking into account the board's meeting schedule. Respondent shall provide proof of completion of the continuing education to the Department Monitor.

- b. Respondent shall provide her nursing employers with a copy of this Order before engaging in any nursing employment.
  - c. 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.
  - d. 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.
  - e. 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.
  - f. Respondent shall notify the Department Monitor of any change of nursing employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.
3. After two (2) years from the date of this Order, Respondent may petition the board for the modification or termination of the limitation. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit.
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 Six Hundred Dollars (\$600.00) 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 timely submit payment of the costs as ordered or fails to comply with the ordered continuing education as set forth above, Respondent's license (no. 159074-30) 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:

Julia Nelson, RN  
A Member of the Board

Date

8/16/12