

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
OLIVIA GOMEZ, R.N.,	:	
RESPONDENT.	:	ORDER 0002515

Division of Legal Services and Compliance¹ Case No. 13 NUR 053

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

Olivia Gomez, R.N.
5102 3 Mile Road
Racine, WI 53406

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

Division of Legal Services and Compliance
Department of Safety and Professional Services
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 disposition of this matter, subject to the approval of the Wisconsin Board of Nursing (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Olivia Gomez, R.N., (dob April 17, 1958) is licensed in the State of Wisconsin as a professional nurse, having license number 90085-30, first issued on March 27, 1985 and current through February 28, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 5102 3 Mile Road, Racine, Wisconsin 53406.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at a hospital (Hospital), located in Milwaukee, Wisconsin.

3. Patient A was admitted to Hospital with a neutropenic fever after receiving chemotherapy. Patient A was admitted solely for the purpose of receiving intravenous antibiotics.

4. On January 16, 2013, Patient A had a fever and was placed on Zosyn to be given every eight (8) hours.

5. Respondent failed to administer Patient A's 4 a.m. Zosyn dose. When staff brought this to her attention, Respondent stated she had forgotten the administration.

6. Respondent administered Patient A's medication three and a half (3 ½) hours late. Hospital policy was that medications were to be administered an hour before or after the prescribed time.

7. Patient B was admitted to Hospital as a bone marrow transplant patient. Patient B's medication orders stated that if the blood count was ten or less, to administer a unit of platelets.

8. Patient B's platelet level was eleven. Respondent administered platelets to Patient, B outside the scope of the order.

9. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Olivia Gomez, R.N., violated Wis. Admin. Code. § N 7.03(1)(b) by failing to maintain competency in practice and methods of nursing care.

3. By the conduct described in the Findings of Fact, Olivia Gomez, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code. § N 7.04(5) by practicing beyond the scope of practice permitted by law.

4. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b), (c) and (d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Olivia Gomez, R.N., is REPRIMANDED.

3. The professional nurse license issued to Olivia Gomez, R.N., (license number 90085-30) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

a. Within 90 days of the date of this Order, Respondent shall at her own expense, successfully complete three (3) hours of education on the topic of critical thinking offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.

b. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.

c. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within 120 days from the date of this Order, Olivia Gomez, R.N., shall pay COSTS of this matter in the amount of \$200.00.

5. Request of approval of courses, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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 Respondent fails to timely submit payment of the costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 90085-30) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs and submit proof of completion of the education.

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

WISCONSIN BOARD OF NURSING

by: Julia Nelson, RN
A Member of the Board

7/11/13
Date