

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

DEBORAH R. GROSSBIER, L.P.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

0002938

Division of Legal Services and Compliance¹ Case No. 12 NUR 597

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

Deborah R. Grossbier, L.P.N.
6100 West Stonehedge Drive, Unit 140
Greenfield, WI 53220-4603

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 Deborah R. Grossbier, L.P.N., (dob July 17, 1952) is licensed in the State of Wisconsin as a practical nurse, having license number 304083-31, first issued on October 25, 2002 and current through April 30, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 6100 West Stonehedge Drive, Unit 140, Greenfield, Wisconsin 53220-4603.

2. At all times relevant to this proceeding, Respondent was employed as a practical nurse at a nursing home and rehabilitation center (Facility), located in Milwaukee, Wisconsin.

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

3. On or about July 29, 2012, Patient A had heart bypass surgery. During the surgery, Patient A suffered from a stroke that left her in a vegetative state.
4. On August 24, 2012, Patient A was admitted to Facility with a catheter. Patient A experienced elevated temperatures following her admission to Facility. Temperatures were lowered with Tylenol®.
5. On September 4, 2012, Patient A's temperature rose and staff contacted Patient A's physician. The physician ordered a chest x-ray, urinalysis, and blood work. The physician also ordered vancomycin, an antibiotic, every 12 hours and vital signs taken every shift.
6. On September 6, 2012, at 1:00 a.m., Respondent took Patient A's temperature. Patient A's temperature was 102.5 degrees Fahrenheit. Facility's policy was to immediately contact the physician if the temperature is over 101 degrees Fahrenheit with symptoms or 102 degrees Fahrenheit without symptoms. Respondent documented the temperature and administered Tylenol® but failed to contact Patient A's physician or take a complete set of vital signs.
7. At 2:00 a.m., Respondent took Patient A's temperature. Patient A's temperature was 102.7 degrees Fahrenheit. Respondent documented the temperature but did not contact the physician or take a complete set of vital signs.
8. At 3:00 a.m., Respondent took Patient A's temperature. Patient A's temperature was 103 degrees Fahrenheit. Respondent documented the temperature but did not contact the physician or take a complete set of vital signs.
9. At 4:15 a.m., Patient A's temperature was 101.9 degrees Fahrenheit. Respondent contacted the physician who ordered Patient A be sent to the emergency room.
10. When Patient A arrived at the emergency room she was in septic shock and respiratory distress. Patient A's temperature was 103.1 degrees Fahrenheit when she arrived at the emergency room and her blood pressure was dropping.
11. About one week later, Patient A passed away.
12. 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, Deborah R. Grossbier, L.P.N., violated Wis. Admin. Code § N 7.03 (1)(b) by an omission demonstrating a failure to maintain competency in practice and methods of nursing care.

3. As a result of the above violations, Deborah R. Grossbier, L.P.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (c).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Deborah R. Grossbier, L.P.N., is REPRIMANDED.

3. The practical nursing license issued to Respondent Deborah R. Grossbier, L.P.N., (license number 304083-31) 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, at her own expense, shall complete three (3) hours of education on the topic of sepsis and four (4) hours of education on delegation. 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 education to the Department Monitor.
- b. For a period of at least one (1) year while working at least half-time as a nurse, Respondent shall arrange for her nursing employer(s) to send to the Department Monitor quarterly reports, reporting the terms and conditions of her employment and evaluating her work performance.
- c. 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.
- d. 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.
- e. After one (1) year of working at least half-time as a nurse, 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. Within 120 days from the date of this Order, Deborah R. Grossbier, L.P.N., shall pay COSTS of this matter in the amount of \$850.00.

5. Payment of forfeiture and costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent 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, fails to submit work reports or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 304083-31) 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, submitted work reports 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

Date 1/9/14

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DEBORAH R. GROSSBIER, L.P.N.,
RESPONDENT.

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STIPULATION

0002938

Division of Legal Services and Compliance¹ Case No. 12 NUR 597

Respondent Deborah R. Grossbier, L.P.N., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

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

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Deborah R. Grossbier, L.P.N., Respondent
6100 West Stonehedge Drive, Unit 140
Greenfield, WI 53220-4603
License no. 304083-31

12/17/13
Date



Amanda L. Florek, Attorney
Division of Legal Services and Compliance
P.O. Box 8935
Madison, WI 53708-8935

12/20/13
Date