

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	
	:	FINAL DECISION AND ORDER
ROSE M. GROCHOWSKI, L.P.N.,	:	FOR REMEDIAL EDUCATION
LICENSEE.	:	0003530

Division of Legal Services and Compliance Case No. 14 NUR 339

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

Rose M. Grochowski, L.P.N.
212 Second Street
P.O. Box 283
Muscodas, WI 53573

Wisconsin Board of Nursing
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

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. Licensee Rose M. Grochowski, L.P.N., (dob August 18, 1947) is licensed in the State of Wisconsin as a practical nurse, having license number 26568-31, first issued on December 2, 1983 and current through April 30, 2015. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 212 Second Street, P.O. Box 283, Muscodas, Wisconsin 53573.

2. At all times relevant to this proceeding, Licensee was employed as a practical nurse at a nursing home (Home), located in Muscodas, Wisconsin.

3. Patient A had a prescription for one (1) to two (2) 5 mg tablets of Ativan® to be administered every four (4) hours as needed for anxiety/agitation.

4. On June 4, 2014, staff informed Licensee that Patient A was agitated during cares and had not slept since about 4:00 a.m. It is common for Patient A to kick and hit during cares. None of these behaviors were documented in the patient record by Licensee or staff for June 4, 2014.

5. At about 8:30 a.m., Licensee administered two (2) tablets of Ativan® but failed to record the administration in the medication administration record or nurses notes. Licensee did record it on the narcotic count sheet.

6. Patient A is at risk for weight loss.

7. Due to the medication administration, Patient A slept through the entire day missing meals and therapy.

8. Licensee failed to document any behavioral episodes that would have warranted the administration of the Ativan®. Licensee also failed to document any non-pharmalogical interventions.

9. The Home conducted an investigation and found this is not a pattern of behavior for Licensee; rather, this appears to be a one-time occurrence.

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

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Ativan® is a brand name for lorazepam. Pursuant to Wis. Stat. § 961.20(2)(er), lorazepam is a schedule IV controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(3).

ORDER

1. The attached Stipulation is accepted.

2. Within six (6) months of the date of this Order, Rose M. Grochowski, L.P.N., shall at Licensee's own expense take and successfully complete five (5) hours of education on the topic of documentation and six (6) hours of education on the topic of medication errors as follows:

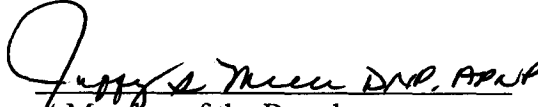
- a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
 - b. Licensee 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 education requirements that have been or may be instituted by the Board or Department.
3. Within 120 days from the date of this Order, Licensee shall pay COSTS of this matter in the amount of \$225.00.
 4. 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 Licensee to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. 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 Licensee's license. The Board in its discretion may in the alternative impose additional conditions and limitations for a violation of any of the terms of this Order. In the event Licensee 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, Licensee's license (no. 26568-31) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Licensee has complied with payment of the costs and submitted proof of successful completion of the education.

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

WISCONSIN BOARD OF NURSING

by: 
A Member of the Board

11-13-14
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	
	:	STIPULATION
ROSE M. GROCHOWSKI, L.P.N.,	:	0003530
LICENSEE.	:	

Division of Legal Services and Compliance Case No. 14 NUR 339

Licensee Rose M. Grochowski, L.P.N., and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

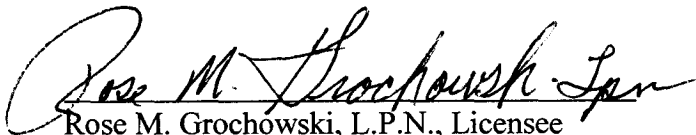
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Licensee consents to the resolution of this investigation by Stipulation.
2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:
 - the right to a hearing on the allegations against Licensee, 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 Licensee;
 - the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
 - the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.
4. Licensee 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. Licensee waives all rights to any appeal of the Board's order, if adopted in the form as attached.
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 Licensee, 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.

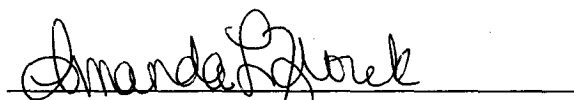
7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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



Rose M. Grochowski, L.P.N., Licensee
212 Second Street
P.O. Box 283
Muscodia, WI 53573
License No. 26568-31

10-16-14
Date



Amanda L. Florek, Attorney
Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison WI 53707-7190

10/20/14
Date