

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
JENNIFER R. GROVES, R.N., :
RESPONDENT. :

0004957

Division of Legal Services and Compliance Case No. 16 NUR 300

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

Jennifer R. Groves, R.N.
907 Ridge Lane
Appleton, WI 54914

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. Respondent Jennifer R. Groves, R.N., (dob September 10, 1982) is licensed in the State of Wisconsin as a professional nurse, having license number 173966-30, first issued on July 14, 2010 and current through February 28, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 907 Ridge Lane, Appleton, Wisconsin 54914.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at a hospital, located in Green Bay, Wisconsin.

3. On April 1, 2016, Respondent, in Brown County Circuit Court case number 2014CF1049, pled no contest and was convicted of two (2) counts obtaining controlled substance by fraud, in violation of Wis. Stat. § 961.43(1)(a), a felony.

4. The convictions were based on the following facts:

- a. On March 8, 2013, at 7:00 p.m., Respondent dispensed morphine 4 mg from the Pyxis® dispensing machine.
- b. Respondent dispensed this medication by indicating it was to be administered to Patient A.
- c. Respondent did not administer the morphine to Patient A, rather she diverted it for personal use.
- d. On April 20, 2013, at 6:56 p.m., Respondent dispensed morphine 10 mg from the Pyxis® dispensing machine.
- e. When dispensing the morphine, Respondent used another nurse's name that was not working that day and indicated the morphine was to be administered to Patient B.
- f. Respondent did not administer the morphine to Patient B, rather she diverted it for personal use.

5. On May 12, 2016, Respondent was placed on three years of probation with conditions that included an AODA assessment, treatment and follow through; no prescriptions or controlled substances without a valid prescription; no alcohol; no controlled substances; maintain fulltime employment; and no employment that would allow access to controlled substances.

6. On May 13, 2016, Respondent, via her attorney, reported this conviction to the Department.

7. 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, Jennifer R. Groves, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(1)¹, by violating, or aiding and abetting a violation of any law substantially related to the practice of professional nursing.

¹ All references to Wis. Admin. Code § N 7.04 refer to the Code as it existed before August 1, 2014.

3. By the conduct described in the Findings of Fact, Jennifer R. Groves, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(2), by administering, supplying or obtaining any drug other than in the course of legitimate practice or as otherwise prohibited by law.

4. As a result of the above conduct, Jennifer R. Groves, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d)².

ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER of the license and privilege of Jennifer R. Groves, R.N., (license no. 173966-30) to practice nursing in the State of Wisconsin or under another state license pursuant to the Nurse Licensure Compact is hereby accepted.

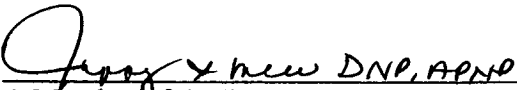
3. In the event Respondent petitions the Board of Nursing for reinstatement as a nurse in the future, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.

4. Respondent shall immediately return all indicia of Wisconsin licensure 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 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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

WISCONSIN BOARD OF NURSING

by:  DNP, APRN
A Member of the Board

10.13.16
Date

² (2011-2012)

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JENNIFER R. GROVES, R.N.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0004957

Division of Legal Services and Compliance Case No. 16 NUR 300

Respondent Jennifer R. Groves, R.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. Respondent is represented by Robert Dvorak.


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.

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 or Respondent's attorney, 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.

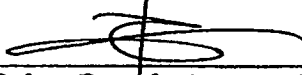
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



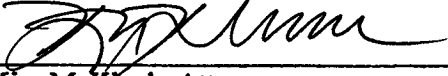
Jennifer R. Groves, R.N., Respondent
907 Ridge Lane
Appleton, WI 54914
License no. 173966-30

09-21-14
Date



Robert Dvorak, Attorney for Respondent
Halling & Cayo, SC
320 E. Buaffalo St., Ste. 700
Milwaukee, WI 53202

9.21.16
Date



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

9/22/16
Date