

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

KARIN S. MOBILIA, L.P.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

0004965

Division of Legal Services and Compliance Case No. 16 NUR 355

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

Karin S. Mobilia, L.P.N.
215 West Palm Street
Duluth, MN 55811

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 Karin S. Mobilia, L.P.N., (dob July 30, 1962) is licensed in the State of Wisconsin as a practical nurse, having license number 317099-31, first granted on June 17, 2013 and current through April 30, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 215 West Palm Street, Duluth, Minnesota 55811.

2. At all times relevant to this proceeding, Respondent was employed as a practical nurse for a school district in Minnesota.

3. On June 2, 2016, the Minnesota Board of Nursing and Respondent entered into a Stipulation and Consent Order based on the following facts:

- a. On January 30, 2015, Respondent incorrectly documented in a student's record and was placed on a performance improvement plan which indicated several areas for improvement, including quality of work, frequent difficulty with others and begrudgingly accepting direction.
- b. On February 26, 2015, Respondent administered Bacitracin® on a child's tongue without wearing gloves. Respondent then applied Vaseline® and a gel cold pack un-bagged to the tongue.
- c. At the July 24, 2015 conference with the Minnesota Review Panel, Respondent denied all allegations except the Bacitracin® application. Respondent explained that she intended to put Vaseline® in the child's mouth rather than Bacitracin®, not recognizing that Bacitracin® and Vaseline® are topical products and toxic. Respondent changed her responses to questions multiple times during the conference.

4. 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, Karin S. Mobilia, L.P.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(7) by having disciplinary action through final board adjudication taken against her license in another jurisdiction.
3. As a result of the above conduct, Karin S. Mobilia, L.P.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Karin S. Mobilia, L.P.N., is **SUSPENDED**.
3. The suspension is stayed as long as Respondent complies with all of the limitations below.
4. The practical nursing license issued to Karin S. Mobilia, L.P.N., (license number 317099-31) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are **LIMITED** as follows:

- a. For a period of at least two (2) years while working at least half-time as a nurse, 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, assisted living, agency, pool, school or as a nurse in a correctional setting.
- b. Respondent may not function as a charge nurse or perform the administrative and monitoring tasks of a charge nurse.
- c. Respondent shall notify the Department of any changes to her Minnesota Consent Order within ten (10) days of the change.
- d. Respondent shall submit quarterly self-reports to the Department regarding her progress with the Minnesota Consent Order.
- e. Respondent must submit all reports she submits to the Minnesota Board to the Department within ten (10) days of submission to the Minnesota Board. This includes self-reports, supervisor reports and additional information.
- f. If Respondent violates any term of this or the Minnesota Consent Order, her stay of suspension will be removed and her license be placed in suspended status until she has complied with the terms of this order and provided proof that she is in compliance with the Minnesota Consent Order.
- g. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully complied with all terms and conditions of the Minnesota Consent Order and that her Minnesota license is no longer conditional or limited in any way.

5. Pursuant to 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.

6. Within 120 days from the date of this Order, Karin S. Mobilia, L.P.N., shall pay COSTS of this matter in the amount of \$221.00.

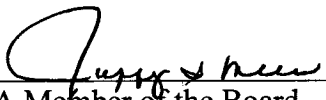
7. Supervisor reports, self-reports, and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

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

8. 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 have direct supervision, fails to get pre-approval of work settings, works in home health, assisted living, agency, pool, school or as a nurse in a correctional setting; fails to timely submit self-reports, supervisor reports, or additional information; fails to comply with the Minnesota Consent Order; fails to notify the Department of any change to the Minnesota Consent Order; or fails to submit payment of the costs as ordered, Respondent's license (no. 317099-31) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has direct supervision, received pre-approval of work settings, is not working in a restricted setting listed in this Order, submitted self-reports, submitted supervisor reports, submitted additional information, complied with the Minnesota Consent Order and complied with payment of the ordered costs.

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

WISCONSIN BOARD OF NURSING

by:  J. Lynn J. New DNP, APRN
A Member of the Board

10.13.16
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KARIN S. MOBILIA, L.P.N.,
RESPONDENT.

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STIPULATION

0004965

Division of Legal Services and Compliance Case No. 16 NUR 355

Respondent Karin S. Mobilia, 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.

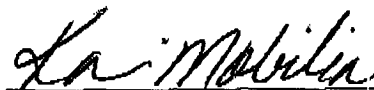
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

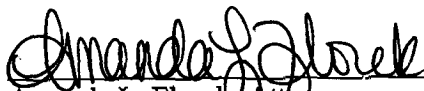
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes 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.


Karin S. Mobilia, L.P.N., Respondent
215 West Palm Street
Duluth, MN 55811
License no. 317099-31

9-14-16
Date


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

9/16/16
Date