

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE LICENSE OF

CARRIE A. NYSTROM, R.N.,  
LICENSEE.

:  
: **0005647**  
: FINAL DECISION AND ORDER  
: FOR REMEDIAL EDUCATION  
:

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Division of Legal Services and Compliance Case No. 17 NUR 413

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

Carrie A. Nystrom, R.N.  
5049 Edgewater Beach Road  
Green Bay, WI 54311

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 Carrie A. Nystrom, R.N., (DOB: August 19, 1975) is licensed in the State of Wisconsin as a professional nurse, having license number 135873-30, first issued on August 03, 2000, and current through February 28, 2018. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 5049 Edgewater Beach Road, Green Bay, Wisconsin 54311.

2. At all times relevant to this proceeding, Licensee was employed as a professional nurse at a hospice residence (Residence), located in De Pere, Wisconsin.

3. On July 20, 2017, resident NH refused to take her oral medication (lorazepam). The nurse on duty that night effectively administered lorazepam to NH by distracting NH, diluting the lorazepam in water, and having NH drink it.

4. On July 21, 2017, NH was notably agitated; specifically, she refused to take oral medications and had loud outbursts about wanting to leave the Residence.

5. NH went outside with the assistance of her husband.

6. Licensee and a Certified Nursing Assistant (CNA) assisted in returning NH to her room.

7. Moments later, the Director of the Residence heard loud yelling coming from NH's room, and when she walked in, she observed NH in bed, on her side, unclothed from the waist down, the CNA in front of NH, and Licensee behind NH. The CNA was holding NH's hands down, Licensee was wearing gloves, sweating, and said, "I just had to give her lorazepam rectally."

8. Licensee explained that Resident NH was refusing to take the medication, repeatedly setting off her alarm clip (alerting staff that she was attempting to get out of bed), and attempting to leave the room. Licensee feared for NH's safety, and did not feel administration of the lorazepam orally via syringe would have given NH the full dosage.

9. 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 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).

#### ORDER

1. The attached Stipulation is accepted.

2. Within six (6) months of the date of this Order, Carrie A. Nystrom, R.N., shall at her own expense take and successfully complete ten (10) total hours of education on the topics of ethics, patient rights, and abuse 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. Request for approval of courses and proof of successful course completion shall be sent by Licensee 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

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

WISCONSIN BOARD OF NURSING

by:

  
A Member of the Board

3-8-18  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF  
:  
:  
CARRIE A. NYSTROM, R.N.,  
:  
LICENSEE.

STIPULATION

0005647

Division of Legal Services and Compliance Case No. 17 NUR 413

Licensee Carrie A. Nystrom, 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. 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.

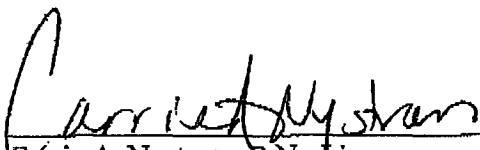
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In

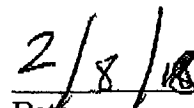
the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

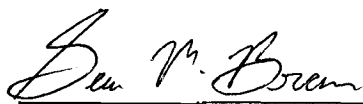
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Licensee, for purposes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

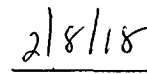
7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.

  
Carrie A. Nystrom, R.N., Licensee  
5049 Edgewater Beach Road  
Green Bay, WI 54311  
License No. 135873-30

  
Date

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

  
Date