

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

DONNA M. VORBURGER, R.N.,
LICENSEE.

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:
:
:
:

FINAL DECISION AND ORDER
FOR REMEDIAL EDUCATION

ORDER 0005983

Division of Legal Services and Compliance Case No. 17 NUR 129

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

Donna M. Vorburger, R.N.
3786 Rutland-Dunn Road
Oregon, WI 53575

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 Donna M. Vorburger, R.N., (DOB September 18, 1952) is licensed in the State of Wisconsin as a professional nurse, having license number 60004-30, first issued on August 26, 1974, and current through February 28, 2020. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 3786 Rutland-Dunn Road, Oregon, Wisconsin 53575.

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

3. On February 3, 2017, at 10:44 a.m., Licensee was assigned to care for Patient A, who was admitted to the cardiovascular post-anesthesia care unit (PACU) following a right carotid endarterectomy.
4. Patient A was connected to an intravenous pump with Cleviprex® and phenylephrine in line, but not infusing.
5. Patient A's surgeon (Physician A) indicated that he preferred the systolic blood pressure to be in the 120-160 range and that Licensee should titrate the Cleviprex® and phenylephrine to maintain Patient A's blood pressure accordingly. Cleviprex® is used to decrease blood pressure and phenylephrine is used to raise it.
6. At 11:00 a.m., Patient A's blood pressure began trending down.
7. At 11:05 a.m., Licensee entered an order in Patient A's record for Cleviprex® to run between 0 and 32 mg/hour continuously and intravenously. Licensee signed the order inadvertently using the name of another physician with a similar name as Physician A.
8. At 11:16 a.m., Licensee charted that she started the Cleviprex® at 4 mg/hr. When Patient A's blood pressure did not increase, Licensee continued to increase the Cleviprex® and Patient A's blood pressure continued to trend downward.
9. At 11:55 a.m. Licensee titrated the Cleviprex® to 20 mg/hr.
10. At 12:00 p.m., Licensee charted Patient A's blood pressure as 96/55. Licensee then realized she had been using the wrong medication. Licensee began titrating the Cleviprex® downward and called the anesthesiologist to notify him of the error. The anesthesiologist instructed Licensee to titrate the Cleviprex® down and use the phenylephrine if needed to meet the blood pressure parameters.
11. Licensee did not document the conversation with the anesthesiologist or the order he gave regarding the use of Cleviprex® and phenylephrine.
12. At 12:07 p.m., the Cleviprex® was charted as stopped.
13. At 12:10 p.m., Patient A's blood pressure was 107/57.
14. At 12:14 p.m., Licensee initiated the phenylephrine at 40 mcg/minute and Patient A's blood pressure stabilized in the desired range.
15. Licensee admitted the medication error and failing to document the conversations she had with the involved physicians.

16. While this matter was pending, Licensee completed six (6) hours of education on the topic of medication administration and six (6) hours of education on the topic of medication documentation.

17. 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).

2. By the conduct described in the Findings of Fact, Donna M. Vorburger, R.N., violated Wis. Admin. Code § N 7.03(6)(a), by failing to perform nursing with reasonable skill and safety.

3. By the conduct described in the Findings of Fact, Donna M. Vorburger, R.N., violated Wis. Admin. Code § N 7.03(6)(c), by departing from or failing to conform to the minimal standards of acceptable nursing practice that may create unnecessary risk or danger to a patient's life, health, or safety. Actual injury to a patient need not be established.

4. As a result of the above conduct, Donna M. Vorburger, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER


1. The attached Stipulation is accepted.

2. The Wisconsin Board of Nursing accepts the continuing nursing education Licensee Donna M. Vorburger, R.N., has already completed as satisfying the education the Board would have otherwise ordered.

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

WISCONSIN BOARD OF NURSING

by:


A Member of the Board

1/10/19
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DONNA M. VORBURGER, R.N.,
RESPONDENT.

STIPULATION

ORDER 0005983

Division of Legal Services and Compliance Case No. 17 NUR 129

Respondent Donna M. Vorburger, 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 Attorney Mario Mendoza.
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.

Donna M. Vorbarger
Donna M. Vorbarger, R.N., Respondent
3786 Rutland-Dunn Road
Oregon, WI 53575
License no. 60004-30

10-27-18
Date

Mario D. Mendoza
Mario Mendoza, Attorney for Respondent
Murphy Desmond
33 E. Main Street, Suite 500
P.O. Box 2038
Madison, WI 53701-2038

10-30-18
Date

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

10/31/2018
Date