

## 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 DISCIPLINARY  
PROCEEDINGS AGAINST

MICHELLE L. SLOWEY, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

0006051

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Division of Legal Services and Compliance Case Nos. 17 NUR 360 and 17 NUR 409

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

Michelle L. Slowey, R.N.  
931 Parkview Drive  
Milton, WI 53563

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 Michelle L. Slowey, R.N., (DOB: June 9, 1988) is licensed in the State of Wisconsin as a professional nurse, having license number 190884-30, first issued on June 27, 2012, and current through February 28, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 931 Parkview Drive, Milton, Wisconsin 53563.

2. At all times relevant to these matters, Respondent was employed as a professional nurse at a nursing home located in Janesville, Wisconsin (the Home).

3. In June 2016, Respondent received inpatient treatment for opioid use disorder and completed an AODA assessment on July 28, 2016. Respondent admitted to using prescribed opioids to treat headaches and that she purchased additional opioids off the street.

4. On May 21, 2017, Respondent had a medical procedure and was kept in the hospital overnight for observation.

5. On May 23, 2017, at approximately 9:30 p.m., Respondent reported to the Home for her scheduled night shift and met with two (2) other nurses who determined Respondent was able to work her scheduled shift.

6. On May 23, 2017, around 11:00 p.m., a certified nursing assistant (C.N.A.), observed Respondent eating, vomiting into a trash can, then continuing to eat. The C.N.A. later found the Respondent asleep at the nurse's station. The C.N.A. had to shake Respondent to wake her. Respondent appeared shaky and went to the restroom for an extended period of time.

7. Another C.N.A. called the Facility Administrator, who was in the building, to report that Respondent was pale, unsteady on her feet, and passing out. Another nurse was called in to cover the rest of Respondent's shift.

8. While waiting for the shift replacement, Respondent prepared to administer pain medication to Resident A. Respondent looked back and forth between the medication administration record and the label on the medication card. She then proceeded to pop the medication out of the bubble pack.

9. The Administrator observed Respondent dispensing and administering medication to a resident who inquired which medication was being administered. Respondent replied Norco® and the resident stated she did not know "it could look like that" but immediately took the medication.

10. The Administrator then asked Respondent to pull the medication card for Resident A. There was only one (1) card in Resident A's slot and the medication card was for hydrocodone, the generic equivalent of Norco®.

11. On May 24, 2017, at approximately 1:18 a.m., Respondent left the Home after giving her report to the nurse called in to cover the rest of Respondent's shift. That nurse reported to the Administrator that Resident A's lorazepam card was in the slot assigned to another Resident, and that he believed a medication error occurred because the medication count showed Resident A was missing two (2) tablets of lorazepam and was over two (2) tablets of hydrocodone.

12. It was determined that Respondent administered the lorazepam instead of the hydrocodone to Resident A, then placed the lorazepam card in the wrong slot. Therefore, when the Administrator reviewed the only card left in Resident A's slot, it was a card of hydrocodone and the Administrator did not know there was a medication error.

13. On May 26, 2017, Respondent was transported to a hospital in Janesville with multiple wounds and abrasions. Respondent was treated for intracranial bleeding.

14. In resolution of these matters, 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).

#### ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of the license and privilege of Michelle L. Slowey, R.N., (license no. 190884-30) to practice nursing in the State of Wisconsin or under another state license pursuant to the Enhanced Nurse Licensure Compact is hereby accepted.

3. Respondent shall not petition the Board of Nursing for reinstatement for at least one (1) year from the date of this Order. After the one (1) year period, Respondent may or may not be granted reinstatement, but may petition for reinstatement, under the following conditions:

- a. Respondent shall have, at her own expense, undergone a fitness to practice evaluation with a pre-approved psychiatrist or psychologist experienced in evaluating health care practitioners' fitness for duty:
  - i. The provider performing the evaluation must not have treated Respondent and shall have been approved by the Board or its designee, with the opportunity for the Division of Legal Services and Compliance to make its recommendation, prior to the evaluation being performed; and
  - ii. Within fifteen (15) days of the completion of the assessment, a written report regarding the results of the assessment shall be submitted to the Department Monitor at the address below. The report shall address whether Respondent suffers from any condition(s) that may interfere with his or her ability to practice safely and, if so, shall provide any recommended limitations for safe practice.
- b. Prior to evaluation, Respondent shall provide a copy of this Final Decision and Order to the health care provider.
- c. Respondent shall execute necessary documents authorizing the Division to obtain records of evaluation, and to discuss Respondent and her case with the evaluator. Respondent shall execute all releases necessary to permit disclosure of the final evaluation report to the Board or its designee.

Certified copies of the final evaluation report shall be admissible in any future proceeding before the Board.

- d. Respondent shall comply with any and all reasonable requests by the evaluator for purposes of scheduling and completing the evaluation, including additional testing the examiner deems helpful. Any lack of reasonable and timely cooperation, as determined by the examiner, may constitute a violation of an order of the Board.
- g. Respondent is responsible for timely payment of the costs of the examination. Payment shall be made directly to the evaluator.
- h. Respondent must provide proof sufficient to convince the Board that Respondent is able to practice with reasonable skill and safety of patients and the public and does not suffer from any condition which prevents Respondent from practicing in that manner.
- i. If the Board determines that Respondent is fit to practice, the Board may nonetheless limit Respondent's license in a manner to address any concerns the Board has as a result of the conduct set out in the Findings of Fact and to address any recommendations resulting from the assessment, including, but not limited to:
  - i. Psychotherapy, at Respondent's expense, by a therapist approved by the Board or its designee, to address specific treatment goals, with periodic reports to the Board by the therapist.
  - ii. Additional professional education in any identified areas of deficiency.
  - iii. Restrictions on the nature of practice or practice setting or requirements for supervision of practice, by a professional approved by the Board, with periodic reports to the Board by the supervisor.
- j. If the Board determines that Respondent is not fit to practice, the Board may deny Respondent's reinstatement until Respondent provides proof sufficient to convince the Board that Respondent is able to practice with reasonable skill and safety of patients and the public and does not suffer from any condition which prevents Respondent from practicing in that manner. In the alternative, the Board may limit Respondent's license in a manner to address any concerns the Board has as a result of the conduct set out in the Findings of Fact and to address any recommendations resulting from the assessment, including, but not limited to:
  - i. Psychotherapy, at Respondent's expense, by a therapist approved by the Board or its designee, to address specific treatment goals, with quarterly reports to the Board by the therapist.

- ii. Additional professional education in any identified areas of deficiency.
- iii. Restrictions on the nature of practice or practice setting or requirements for supervision of practice, by a professional approved by the Board, with periodic reports to the Board by the supervisor.

4. In the event that Respondent petitions for reinstatement, Respondent shall pay to the Department of Safety and Professional Services the costs of this proceeding in the amount of \$919.00, pursuant to Wis. Stat. § 440.22(2).

5. Results of the evaluation 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](mailto:DSPSMonitoring@wisconsin.gov)

You may also submit this information online via DSPS' Monitoring Case Management System, here:

<https://app.wi.gov/DSPSMonitoring>

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

WISCONSIN BOARD OF NURSING

By: *Pamela Kubit, RN*  
A Member of the Board

2/14/19  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MICHELLE L. SLOWEY, R.N.,  
RESPONDENT.

STIPULATION

0006051

Division of Legal Services and Compliance Case Nos. 17 NUR 360 and 17 NUR 409

Respondent Michelle L. Slowey, 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.

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.

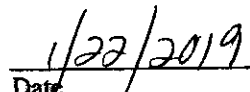
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.

  
Michelle L. Slowey, R.N., Respondent  
931 Parkview Drive  
Milton, WI 53563  
License no. 190884-30

  
Date

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

  
Date