

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

CHAD T. LANOWAY, R.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:
:

196227

Division of Legal Services and Compliance Case No. 16 NUR 072

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

Chad T. Lanoway, R.N.
1104 State Road 138
Stoughton, WI 53589-4049

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 Chad T. Lanoway, R.N., (DOB May 28, 1975) is licensed in the state of Wisconsin as a registered nurse, having license number 221313-30, first issued on February 10, 2015, and current through February 28, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1104 State Road 138, Stoughton, Wisconsin, 53589-4049.

2. At all times relevant to this proceeding, Respondent was employed as a registered nurse at a long term care facility (Facility), located in Oregon, Wisconsin.

3. On January 4, 2016, twenty (20) medication errors were discovered by the facility to have occurred during Respondent's shift.

4. Respondent had been previously counseled for matters which included medication errors by omission.

5. Respondent was asked to submit to a reasonable suspicion urine drug screen. He informed the facility that there was marijuana in his system from a trip to Colorado. After being informed that the facility was not concerned about marijuana, but rather the missing narcotics, he provided a urine sample. The sample was diluted and did not meet temperature requirements. Additionally, the sample tested positive for marijuana.

6. On January 5, 2016, Respondent was terminated as a result of the medication errors. He was not suspected of diversion.

7. Respondent's father confirmed he and the Respondent had taken a two (2) day driving trip to Colorado in December, 2015 in order to retrieve a vehicle.

8. Respondent admitted to tampering with the urine sample out of fear of the presence of marijuana.

9. While this matter was pending, Respondent completed four (4) hours of education on the causes and prevention of medication errors offered by the National Council of State Boards of Nursing. He also was subjected to a comprehensive AODA assessment. The report from that assessment indicates Respondent does not meet the criteria for a substance abuse disorder. He does, however, meet the criteria for Post Traumatic Stress Disorder (PTSD).

10. 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, Chad T. Lanoway, R.N., violated Wis. Admin. Code § N 7.03(5)(g), by submitting false information in the course of an investigation.

3. As a result of the above conduct, Chad T. Lanoway, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent, Chadwick T. Lanoway, R.N., is REPRIMANDED.

3. The registered nursing license issued to Respondent, Chad T. Lanoway, R.N., (license number 221313-30) and his privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact, are LIMITED as follows:

- a. The Wisconsin Board of Nursing accepts the continuing nursing education and AODA assessment Respondent Chad T. Lanoway, R.N., has already completed as satisfying any education or assessment the Board would have otherwise ordered.
- b. Respondent shall provide his nursing employer with a copy of this Order before engaging in any nursing employment. Respondent shall provide the Department Monitor with written acknowledgment from each nursing employer that a copy of this Order has been received. Such acknowledgment shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.
- c. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall arrange for his nursing employer(s) to send to the Department Monitor quarterly reports, reporting the terms and conditions of Respondent's employment and evaluating his work performance.
- d. Pursuant to the Enhanced Nurse Licensure Compact, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation.
- e. Respondent shall notify the Department Monitor of any change of nursing employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.
- f. After two (2) years of working at least half-time as a nurse, Respondent may petition the board for the modification or termination of the limitation. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit.

4. Within 120 days from the date of this Order, Chad T. Lanoway, R.N., shall pay COSTS of this matter in the amount of \$2396.00.

5. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) and required notifications and work reports 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

Or they may be submitted online via the Department's Monitoring Case Management System at

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

6. In the event Respondent violates any term of this Order, Respondent's license (221313-30), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

WISCONSIN BOARD OF NURSING

by:



A Member of the Board

6/13/19

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CHAD T. LANOWAY, R.N.,
RESPONDENT.

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:
:

STIPULATION

206227

Division of Legal Services and Compliance Case No. 16 NUR 072

Respondent Chad T. Lanoway, R.N., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

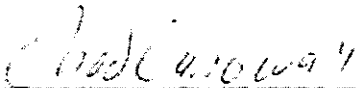
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives 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.



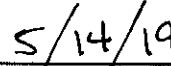
Chad T. Lanoway, R.N., Respondent
1104 State Road 138
Stoughton, WI 53589
License no. 221313-30



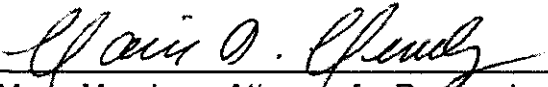
Date



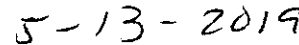
Leslie R. McKinney, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison WI 53707-7190



Date



Mario Mendoza, Attorney for Respondent
Murphy Desmond S.C.
33 East Main Street, Ste. 500
Madison, WI 53701-2038



Date