

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

AMANDA M. GATREL, R.N.,
RESPONDENT.

FINAL DECISION AND ORDER

ORDER 0006406

Division of Legal Services and Compliance Case No. 17 NUR 644

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

Amanda M. Gatrel, R.N.
337 W. Ann
Whitewater, WI 53190

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 Amanda M. Gatrel, R.N., (DOB March 4, 1977) is licensed in the state of Wisconsin as a registered nurse, having license number 147524-30, first issued on August 26, 2004, and current through February 28, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services, (Department) is 337 West Ann, Whitewater, Wisconsin 53190.
2. At all times relevant to this proceeding, Respondent was employed as a registered nurse at a hospital (Hospital), located in Beloit, Wisconsin.
3. Respondent was not scheduled to work on Friday, October 21, 2017.

4. The night shift supervisor and two other nurses recalled seeing Respondent at the Hospital on October 21, 2017.

5. On October 21, 2017, at 2:07 a.m., Respondent removed eight (8) lorazepam 0.5 mg tablets from the automated dispensing system (ADS). There is no documentation of administration, waste, or return.

6. On October 21, 2017, at 6:49 p.m., the Rock County Sheriff's Office was dispatched to a vehicle found in a cornfield.

7. It was determined that Respondent suffered a severe medical event. Respondent was found pulseless and not breathing.

8. Respondent was revived and transported to a hospital located in Janesville, Wisconsin.

9. Police found insulin bearing names of patients of the Hospital in Beloit, Wisconsin among Respondent's possessions.

10. Respondent's initial assessment showed acute hypoxic and hypercapnic respiratory failure, aspiration pneumonia, and acute metabolic encephalopathy. Respondent's laboratory results were positive for amphetamine.

11. On October 23, 2017, the Director of Pharmacy (Director) at the Hospital conducted an audit which showed that Respondent had removed several other controlled substances from the ADS between January 14, 2017, and October 21, 2017, without documenting administration, waste, or return.

12. 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, Amanda M. Gatrel, R.N., violated Wis. Admin. Code § N 7.03(8)(e), by obtaining, possessing or attempting to obtain or possess a drug without lawful authority.

3. By the conduct described in the Findings of Fact, Amanda M. Gatrel, R.N., violated Wis. Admin. Code § N 441.07(1g)(c), by acts which show the registered nurse, nurse-midwife, or licensed practical nurse to be unfit or incompetent by reason of negligence, abuse of alcohol or other drugs or mental incompetency.

3. As a result of the above conduct, Amanda M. Gatrel, 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 Amanda M. Gatrel, R.N., is REPRIMANDED.
3. The registered nursing license issued to Respondent Amanda M. Gatrel, R.N., (license number 147524-30) and her privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact, are LIMITED as follows:
 - a. Respondent shall, within thirty (30) days, at her own expense, undergo 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. Within thirty (30) days from the date of this Order, Respondent shall, at her own expense, undergo an AODA assessment with an evaluator pre-approved by the Board or its designee who has experience conducting these assessments.
 - i. Prior to the assessment, Respondent shall provide a copy of this Order to the evaluator. Respondent shall provide the Department Monitor with written acknowledgment from the evaluator that a copy of this Order has been received by the evaluator. Such acknowledgment shall be provided to the Department Monitor prior to the assessment.
 - ii. Respondent shall provide and keep on file with the evaluator current releases complying with state and federal laws. The releases shall allow the Board, its designee, and any employee of the Department

to obtain a copy of the assessment. Copies of these releases shall immediately be filed with the Department Monitor.

- iii. Respondent shall identify and provide the evaluator with authorizations to communicate with all physicians, mental health professionals, and facilities at which Respondent has been treated or evaluated.
 - iv. The Board, or its designee, may impose additional limitations upon Respondent's license based on the results of the assessment and/or the evaluator's recommendations.
 - v. Respondent shall comply with the evaluator's recommendations.
- c. Respondent shall provide her 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.
 - d. 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 or as a nurse in a correctional setting.
 - e. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall arrange for her nursing employer(s) to send to the Department Monitor quarterly reports, reporting the terms and conditions of Respondent's employment and evaluating her work performance.
 - f. Pursuant to the Enhanced Nurse Licensure Compact, 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.
 - g. 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.

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h. 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, Amanda M. Gatrel, R.N., shall pay COSTS of this matter in the amount of \$ 1,426.00

5. Request for approval of courses, proof of successful course completion 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

You may also submit this information 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 (147524-30), or Respondent's right to renew her 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

9/17/19
Date

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AMANDA M. GATREL, R.N.,
RESPONDENT.

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STIPULATION
ORDER 0006406

Division of Legal Services and Compliance Case No. 17 NUR 644

Respondent Amanda M. Gatrel, 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.

Amanda Gatrel

Amanda M. Gatrel R.N., Respondent
337 W. Ann
Whitewater, WI 53190
License no. 147524-30

7-18-19

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

7/18/19

Date

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