

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE NURSING HOME ADMINISTRATORS EXAMINING BOARD

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IN THE MATTER OF THE LICENSE OF

BRIANNA I. GRETZINGER, N.H.A.  
LICENSEE.

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FINAL DECISION AND ORDER  
FOR REMEDIAL EDUCATION

**ORDER 0007306**

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Division of Legal Services and Compliance Case No. 19 NHA 065

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

Brianna I. Gretzinger, N.H.A.  
Clinton, WI 54929

Wisconsin Nursing Home Administrators Examining Board  
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 Board of Nursing Home Administrators Examining 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 Brianna I. Gretzinger, N.H.A., (DOB XX/XX/1996) is licensed by the state of Wisconsin as a nursing home administrator, having license number 4062-65, first issued on August 2, 2019 and current through June 30, 2020. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Clinton, Wisconsin 54929.

2. At all times relevant to the matter, Licensee was the nursing home administrator (N.H.A.) at a nursing and rehabilitation center (Center), located in Fond du Lac, Wisconsin.

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3. Between September 1, 2019, and September 30, 2019, a Department of Health Services (DHS) Survey was conducted at the Center.

4. The Surveyor found several issues with the Center's documentation of powers of attorney (POA) for residents.

- a. For Resident A, a POA was created through another healthcare provider. Resident A's adult child brought in a copy of Resident A's statement of incapacity. The Center did not obtain a copy of the POA document for the medical record and to verify who was legally responsible for Resident A's decision making until requested by the Surveyor. Resident A's electronic health record profile documents Resident A was responsible for decisions, but Resident A's adult child was making healthcare decisions per the Center's social worker.
- b. For Resident B, the Center did not obtain a copy of Resident B's statement of incapacity but allowed the representative named in the POA to make medical decisions on behalf of Resident B.

5. The Surveyor also reported that water temperatures in residents' rooms were recorded between 129- and 131-degrees Fahrenheit (F). At these temperatures, a third-degree burn could occur between approximately 1 minute (at 127 degrees F) and 15 seconds (at 133 degrees F).

6. Maintenance Supervisor C indicated that the concern was previously brought to Licensee's attention, but she stated the building was "grandfathered in" and did not have to adjust the temperatures.

7. When questioned, Licensee confirmed the concerns were brought to her in the past and that she contacted a regional corporate consultant who informed Licensee that since the building wasn't "tagged" in the past, the building was grandfathered in.

8. According to DHS, there are no "grandfathering in" provisions for water temperatures.

9. On September 20, 2019, a plumbing company adjusted the water temperature to a maximum of 113 degrees F at the tempering valves. The maintenance staff at the Center have been instructed to conduct weekly temperature checks and adjust temperatures as needed.

10. 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 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, Licensee shall, at her own expense, take and successfully complete three (3) hours of education on powers of attorney and other advance directives and three (3) hours of education on state and federal regulations of long-term care facilities 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 course(s) 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 continuing education requirements that have been or may be instituted by the Board or Department.
  - c. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Licensee. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
3. Requests for course approval 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](mailto:DSPSMonitoring@wisconsin.gov)

You may also submit this information online via the Department's Monitoring Case Management System at

<http://dspsmonitoring.wi.gov>

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

WISCONSIN NURSING HOME ADMINISTRATORS EXAMINING BOARD

by: *Al. Rohmeyer* **DSPS Chief Legal Counsel,** 4-13-21  
~~A Member of the Board~~ **Delegatee** Date



STATE OF WISCONSIN  
BEFORE THE NURSING HOME ADMINISTRATORS EXAMINING BOARD

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IN THE MATTER OF THE LICENSE OF	:	
	:	STIPULATION
BRIANNA I. GRETZINGER, N.H.A.,	:	
LICENSEE.	:	

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Division of Legal Services and Compliance Case No. 19 NHA 065

Licensee Brianna I. Gretzinger, N.H.A. 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 Nursing Home Administrators Examining Board (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.

  
Brianna L. Gretzinger, N.H.A., Licensee  
Clinton, WI 54929  
License No. 4062-65

04/06/2020  
Date

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

April 6, 2020  
Date

