

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF :

KAREN A. FRODL, R.C.P., :
LICENSEE. :

FINAL DECISION AND ORDER
FOR REMEDIAL EDUCATION

ORDER 0007479

Division of Legal Services and Compliance Case No. 19 MED 166

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

Karen A. Frodl, R.C.P.
Merrill, WI 54452

Wisconsin Medical 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 Medical Examining Board (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 Karen A. Frodl, R.C.P., (Year of Birth 1963) is licensed in the state of Wisconsin as a respiratory care practitioner, having license number 1293-28, first issued on July 23, 1992, with registration current through June 30, 2022. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Merrill, Wisconsin 54452.

2. At all times relevant to this matter, Licensee was employed as a respiratory care practitioner at a nursing home in Wausau, Wisconsin (Facility).

3. On February 23, 2019, Licensee provided care to Patient A, a 76-year-old male resident who was ventilator-dependent for chronic respiratory failure. At times, Patient A's

ventilator became disconnected due to Patient A's underlying spastic quadriplegia and upper extremity movements.

4. During Licensee's shift, Patient A's ventilator became disconnected and the alarm sounded. After addressing another patient's ventilator alarm, Licensee reconnected Patient A's ventilator and began bagging Patient A as he was unresponsive. Licensee was not able to immediately discern Patient A's code status. When another staff member confirmed Patient A's code status, a code was called and Patient A was successfully resuscitated and transported to the hospital. Patient A returned to the Facility later that same day and did not suffer any permanent injury.

5. The Facility determined after investigation of the incident that Licensee was charting in the office while Patient A's ventilator was alarming. The Facility ventilator log showed that Patient A's alarm was active from 2:06 to 2:11 a.m. However, Licensee maintains that Patient A's ventilator was disconnected for only one minute as she purposefully allowed the alarming to continue while she attended to Patient A to alert other health care providers to assist.

6. On March 1, 2019, the Facility terminated Licensee's employment.

7. In resolution of this matter, Licensee consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining 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 one (1) hour of education on the topic of ventilator alarm safety as follows:
 - a. Licensee shall be responsible for obtaining the courses required under this Order, for providing adequate course descriptions to the Department Monitor, and for obtaining pre-approval of the courses from the Board or its designee prior to the commencement of the courses. Licensee must take and pass any exam offered for the courses.
 - b. The course offered by the American Association for Respiratory Care entitled *Ventilator Alarm Safety* (which is part of its Mechanical Ventilation Course Package) has been preapproved as meeting the one (1) hour ventilator alarm safety education requirement.
 - 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.

- d. 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.

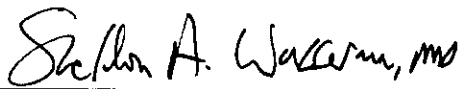
3. Requests for course approval and proof of successful course completion shall be sent by Licensee to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Licensee may also submit this information online at: <https://dpsmonitoring.wi.gov>.

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

WISCONSIN MEDICAL EXAMINING BOARD

By: 
A Member of the Board

21 July 2021
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF

KAREN A. FRODL, R.C.P.,
LICENSEE

STIPULATION

ORDER 0007479

Division of Legal Services and Compliance Case No. 19 MED 166

Licensee Karen A. Frodl, R.C.P., 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. Licensee is represented by Attorney Patricia Putney.

4. Licensee agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical 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.

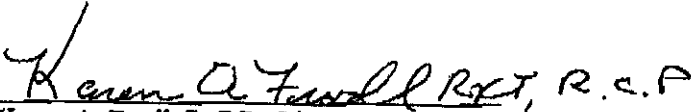
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

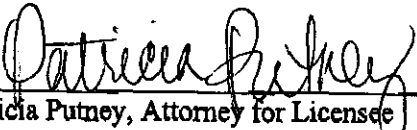
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Licensee or Licensee's attorney, 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.


Karen A. Frodl, R.C.P., Licensee
Merrill, WI 54452
License No. 1293-28

6/14/2021
Date


Patricia Putney, Attorney for Licensee
Bell Moore & Richter, SC
345 West Washington Ave.
Suite 302
Madison, WI 53703

6/14/21
Date


Colleen L. Meloy, Prosecuting Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

6/15/2021
Date