

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 :
 : FINAL DECISION AND ORDER
JULIE A. KACZOR, R.N., :
RESPONDENT. : **ORDER 0008095**

Division of Legal Services and Compliance Case Nos. 21 NUR 696 and 22 NUR 150

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

Julie A. Kaczor, R.N.
Fond du Lac, WI 54935

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 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. Julie A. Kaczor, R.N. (Respondent), (Year of Birth 1972) is licensed in the state of Wisconsin as a registered nurse with multistate privileges pursuant to the Nurse Licensure Compact (Compact), having license number 119868-30, first issued on June 28, 1995 and current through February 29, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Fond du Lac, Wisconsin 54935.

21 NUR 696

2. At all times relevant to this matter, Respondent worked as a registered nurse at a managed care center located in Fond du Lac, Wisconsin (Care Center) as a night shift RN.

3. A male patient born in 1949 (Patient A) was admitted to the Care Center on September 2, 2021 for short term rehab following left knee surgery. On October 21, 2021, Patient A reported to nursing staff that he has not been taking his PRN oxycodone HCl 10mg for several weeks because he was attempting to wean himself off. Nursing staff noticed that Patient A's bubble wrap containing this medication was nearly empty. Respondent had signed out and documented the administration of PRN oxycodone HCl 10mg to Patient A.

4. Care Center staff interviewed Respondent and she stated that Patient A had often requested his PRN oxycodone HCL 10mg, which she then administered to him. Respondent also stated that there were times when she administered Patient A's PRN oxycodone HCl 10mg to him with his other scheduled medications even though he had not requested it.

5. Respondent was terminated from her position at the Care Center for failing to follow PRN narcotic protocol and not informing a resident of the medications being administered.

22 NUR 150

6. At all times relevant to this matter, Respondent worked as a registered nurse at a nursing home located in Ripon, Wisconsin (Nursing Home) as a night shift RN.

7. On February 17, 2022, Nursing Home staff reported concerns that Respondent may be diverting controlled substances. The Nursing Home conducted an internal investigation, which found that Respondent was the only nurse that administered PRN oxycodone HCl 5mg to Patient B (a female born in 1932). Respondent administered oxycodone HCl 5mg to Patient B eleven times between February 10, 2022 – March 1, 2022. Nursing Home staff interviewed Patient B and she stated that she had not received any PRN pain medications during Respondent's night shift, and that she had not requested any medications other than melatonin and/or Tylenol prior to sleep.

8. On March 9, 2022, Respondent resigned from her position at the Nursing Home after she learned of the Nursing Home's internal investigation.

9. On March 25, 2022, the Ripon Police Department interviewed Respondent. Respondent admitted that she had taken approximately two oxycodone tablets from Patient B: one on February 20 and another on February 22, 2022. Respondent stated she took the medication orally while at work to address her pain issues.

10. Respondent has decided to retire from the practice of nursing, and in resolution of this matter, consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Board 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 SURRENDER by Respondent of her license to practice nursing in the state of Wisconsin (license no. 119868-30), as well as her right to renew such license, is accepted.

3. In the event Respondent petitions the Board for reinstatement of her license to practice nursing in the state of Wisconsin or applies for another credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the costs of this matter in the amount of \$1,350.00, before any petition or application for a credential will be considered by the applicable board or Department.

4. In the event Respondent petitions the Board for reinstatement as a registered nurse, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the sole discretion of the Board and such decision is not reviewable.

5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

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

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

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

WISCONSIN BOARD OF NURSING

By: Robert Weirman TW-CCHP
A Member of the Board

8/11/2022
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JULIE A. KACZOR, R.N.,
RESPONDENT.

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STIPULATION
ORDER 0008095

Division of Legal Services and Compliance Case Nos. 21 NUR 696 and 22 NUR 150

Julie A. Kaczor, R.N. (Respondent), 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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Julie A. Kaczor

Julie A. Kaczor, R.N., Respondent
Fond du Lac, WI 54935
License No. 119868-30

7-1-2022

Date

Alicia Kennedy

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

7/5/2022

Date