

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

ORDER 0001658

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. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached stipulation.

Therefore, it is hereby ORDERED:

The Board of Nursing accepts the voluntary surrender of the license to practice as a licensed practical nurse of Mary Martinez.

In the event that Ms. Martinez reapplies for licensure, the Board may determine if and under what conditions relicensure may be granted.

Board of Nursing

By: John J. Bartkowski
A Member of the Board

9/18/85
Date

SG:kcb
910-270

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :
 :
 MARY MARTINEZ, L.P.N., : STIPULATION
 RESPONDENT. :

It is hereby stipulated between Mary Martinez, L.P.N., personally on her own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of pending investigation of Ms. Martinez's licensure by the Division of Enforcement (case file numbers 83 Nurse 62 and 83 Nurse 67). Ms. Martinez consents to the Resolution of this investigation by Stipulation and without the issuance of a formal complaint.

2. Ms. Martinez understands by signing this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the State has the burden of proving those allegations by clear, satisfactory and convincing evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to the proposed decision and to present briefs or oral arguments to the officials who are to enter the final decision; the right to petition for rehearing; and all other applicable rights afforded to Ms. Martinez under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administration Code.

3. Ms. Martinez agrees to adoption of the attached Final Decision and Order by the Board of Nursing.

4. For the purposes of this Stipulation, Ms. Martinez admits the following facts:

a. On August 3, 1983, Ms. Martinez reported herself to the Board of Nursing as suffering from Percodan (oxycodone) addiction.

b. On September 6, 1983, Ms. Martinez commenced treatment for chemical dependency at DePaul Rehabilitation Center in Milwaukee, Wisconsin.

c. On November 9, 1983, Ms. Martinez appeared before Milwaukee County Circuit Court and pled guilty to attempting to obtain a prescription by misrepresentation and to obtaining a prescription drug (oxycodone), both in violation of Wis. Stats. sec. 450.07(9)(a) and (12)(a). These offenses were committed on July 29, 1983 and

October 2, 1983. Sentencing was withheld; Ms. Martinez was placed on two years probation and ordered to pay \$100 in fines, \$40 in victim surcharges, and \$40 in court costs.

d. Ms. Martinez at present is receiving treatment for chemical dependency at the Milwaukee County Methadone program.

Ms. Martinez understands that the Board of Nursing may review these admissions in conjunction with any reapplication for licensure by Ms. Martinez.

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

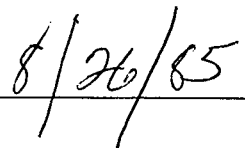
6. If the Board accepts the terms of the Stipulation, the parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties.

7. Ms. Martinez hereby agrees to surrender her license to practice as a licensed practical nurse in the State of Wisconsin. Attached to this Stipulation is the licensure card of Ms. Martinez. If the Board does not accept the Stipulation, the license of Ms. Martinez shall be returned to her with the notice of the Board's decision not to accept the Stipulation.

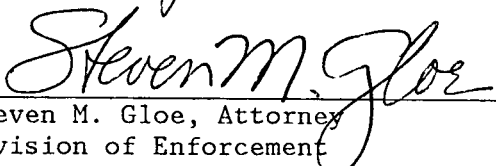
8. The Division of Enforcement joins Ms. Martinez in recommending the Board of Nursing adopt the Stipulation and issue the attached Final Decision and Order.



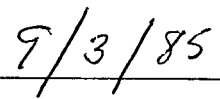
Mary Martinez



Date



Steven M. Gloe, Attorney
Division of Enforcement



Date

SG:jrb
374-287