

# WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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# FILE COPY

BEFORE THE STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

:  
:  
: FINAL DECISION  
: AND ORDER

LINDA A. ELLIS, R.N.,  
RESPONDENT.

:  
: ORDER 0001747  
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The Board of Nursing has received a Stipulation in the above-captioned matter executed by Steven M. Gloe, Attorney for the Division of Enforcement; and by Linda A. Ellis, Respondent herein. A copy of the Stipulation is attached hereto and made a part hereof.

Ms. Ellis and Mr. Gloe appeared before the Board at its meeting of July 18, 1985 to discuss the Stipulation with the Board. Based upon that appearance, the Stipulation and other documents of record herein, the Board of Nursing makes the following Findings of Fact, Conclusions of Law and Order.

## FINDINGS OF FACT

1. Linda A. Ellis is licensed as a registered nurse in the State of Wisconsin (license 65342); this license was issued on September 17, 1976.

2. Beginning at least in December, 1982 and continuing up until May, 1983, Ms. Ellis diverted for her personal use quantities of Nisentil from her employer, St. Mary's Hospital, in Madison, Wisconsin. Ms. Ellis worked in the labor and delivery unit of St. Mary's during this period of time.

3. On May 4, 1983, Ms. Ellis entered the A.P.E.C. treatment program at Madison General Hospital for treatment of chemical dependency. After a short leave of absence, Ms. Ellis returned to her work at St. Mary's Hospital. Her employer has had no complaints about her job performance either prior to or following her treatment A.P.E.C.

4. On May 16, 1983, Ms. Ellis telephoned the Department of Regulation & Licensing to inquire about the Board's handling of cases involving chemical impairment. Ms. Ellis did not at this time turn herself into the Department. As a result of this telephone contact, however, an investigative file was opened in the Division of Enforcement.

5. Ms. Ellis first became aware of the existence of this investigation on October 1, 1984, when she was contacted by Investigator Juan Flores.

6. Ms. Ellis completed her program of treatment at A.P.E.C., and was discharged on October 4, 1984 with an excellent prognosis. Recommendations for further treatment included continued involvement with A.A. and contact with the A.P.E.C. clinic if needed.

CONCLUSIONS OF LAW

1. The Board of Nursing has jurisdiction in this matter pursuant to Wis. Stats. sec. 441.07.


2. Ms. Ellis, by her illicit diversion of drugs for her personal use, has violated the terms of Wis. Stats. sec. 441.07(1)(c) and (d) and Wis. Adm. Code sec. N 11.03(3)(a) and (b) and N 11.04(1).

ORDER

NOW, THEREFORE, IT IS ORDERED that disciplinary proceedings against Linda A. Ellis be, and hereby are, dismissed.

Dated at Milwaukee Wisconsin this 1 day of August, 1985.

STATE OF WISCONSIN  
BOARD OF NURSING

by   
John Bartkowski, R.N.  
Chairman

WA:JB:dw  
882-794

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LINDA A. ELLIS, R.N.,  
RESPONDENT.

STIPULATION

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It is hereby stipulated between Linda A. Ellis, personally on her own behalf and Steven M. Gloe, attorney for the Department of Regulation & Licensing, Division of Enforcement, as follows that:

1. This stipulation is entered into as a result of a pending investigation of Ms. Ellis' licensure by the Division of Enforcement (case file number 83 Nurse 36). Ms. Ellis consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. In resolution of this matter, the parties agree to the following findings and conclusions:
  - a) Linda A. Ellis is licensed as a registered nurse in the State of Wisconsin (license #65342); this license was issued on September 17, 1976.
  - b) Beginning at least in December, 1982 and continuing up until May, 1983, Ms. Ellis diverted for her personal use quantities of Nisentil from her employer, St. Mary's Hospital, in Madison, Wisconsin. Ms. Ellis worked in the labor and delivery unit of St. Mary's during this period of time.
  - c) On May 4, 1983 Ms. Ellis entered the A.P.E.C. treatment program at Madison General Hospital for treatment of chemical dependency. After a short leave of absence, Ms. Ellis returned to her work at St. Mary's Hospital. Her employer has had no complaints about her job performance either prior to or following her treatment at A.P.E.C.
  - d) On May 16, 1983, Ms. Ellis telephoned the Department of Regulation & Licensing to inquire about the Board's handling of cases involving chemical impairment. Ms. Ellis did not at this time turn herself in to the Department. As a result of this telephone contact, however, an investigative file was opened in the Division of Enforcement.

- e) Ms. Ellis first became aware of the existence of this investigation on October 1, 1984, when she was contacted by Investigator Juan Flores.
- f) Ms. Ellis completed her program of treatment at A.P.E.C., and was discharged on October 4, 1984 with an excellent prognosis. Recommendations for further treatment included continued involvement with A.A. and contact with the A.P.E.C. clinic if needed.
- g) Ms. Ellis, by her illicit diversion of drugs for her personal use, has violated the terms of Wis. Stats. sec. 441.07(1)(c) and (d) and Wis. Adm. Code sec. N 11.03(3)(a) and (b) and N 11.04(1).

3. The parties further agree that they shall appear before the Board of Nursing to present oral arguments on disposition of this matter. Following argument, the parties consent to the entry of a Final Order by the Board without further notice, pleading, appearance or consent of the parties.

4. Also attached for the Board's review in conjunction with the stipulation are copies of reports on her treatment and progress in treatment from Ms. Ellis' health care providers.

6-24-85  
Date

Linda A. Ellis  
Linda A. Ellis, R.N.

6.28.85  
Date

Steven M. Gloe  
Steven M. Gloe, Attorney  
Division of Enforcement

SMG:kcb  
374-246