

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
JULIE J. MULLIKIN, R.N., : FINAL DECISION AND ORDER
RESPONDENT. : LS0612141NUR

Division of Enforcement Case # 05 NUR 276

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

Julie J. Mullikin, R.N.
P.O. Box 113
Gordon, WI 54838

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Board of Nursing
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board of Nursing. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Julie J. Mullikin, R.N., (DOB 10/28/1961) is duly licensed as a registered nurse in the State of Wisconsin (license # 30-131519). This license was first granted on February 19, 1999.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is P.O. Box 113, Gordon, Wisconsin, 54838.
3. In March of 2005, Respondent began working as a nurse at Valley Health Care Center.
4. On July 14, 2005, the Board of Nursing entered an Order, pursuant to a stipulation, which indefinitely suspended Respondent's nursing license. The Order provided that the suspension could be stayed if certain conditions, including random drug screens and drug treatment, were met. That Order was served on Respondent at her last address on file with the Board.

5. Respondent never petitioned the Board of Nursing for a stay of her suspended license.

6. Respondent continued to work as a nurse at Valley Health Care Center, without a valid license, until September 27, 2005, when she was terminated for diverting narcotics.

7. Respondent admitted that she had diverted Vicodin from Valley Health Care Center, one to two times per week, in amounts ranging from two to thirteen pills.

8. Respondent pled guilty/no contest to misdemeanor theft of movable property in connection with the diversion of these medications and was sentenced to one year of probation, with a requirement of community service and an alcohol and drug assessment and follow up.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter, pursuant to Wis. Stat. § 441.07, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraph 6 above constitutes a violation of Wis. Stat. § 441.06(4) and Wis. Admin. Code § N 7.04(14) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

3. The conduct described in paragraph 7 above constitutes a violation of Wis. Admin. Code § N 7.04(2) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

4. The conduct described in paragraph 8 above constitutes a violation of Wis. Admin. Code § N 7.04(1) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

IT IS ORDERED:

1. The stipulation of the parties is approved.

2. The Board of Nursing accepts the surrender of Julie J. Mullikin's license to practice as a nurse in the state of Wisconsin (license # 30-131519), and the surrender of Ms. Millikin's privilege to practice in Wisconsin pursuant to the Multi-state Nursing Licensure Compact.

3. In the event that Respondent applies for Wisconsin licensure as a nurse in the future, the Board will enter an order denying such application without further notice or hearing.

4. Respondent shall pay costs of Three Hundred Dollars (\$300.00) to the Department of Regulation and Licensing within ninety (90) days of this Order.

5. This Order shall become effective upon the date of its signing.

Dated at Madison, Wisconsin this 14th day of December, 2006.

Board of Nursing

By: Marilyn Kaufmann
A Member of the Board

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
 :
JULIE J. MULLIKEN, R.N., : STIPULATION
RESPONDENT. : LS# _____

Division of Enforcement Case # 05 NUR 276

Julie J. Mulliken, R.N., personally on her own behalf, and Jeanette Lytle, attorney for the Department of Regulation and Licensing, Division of Enforcement, stipulate:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement (case # 05 NUR 276). Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Respondent understands that 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 a preponderance of the 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 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 her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.

3. Respondent has been provided an opportunity to obtain the advice of legal counsel prior to signing this stipulation.

4. Respondent agrees to voluntarily surrender her license to practice nursing in the state of Wisconsin. She further agrees to voluntarily surrender her privilege to practice nursing in Wisconsin pursuant to the Multi-state Nurse Licensing Compact. Respondent agrees that she will not apply for Wisconsin licensure as a nurse at any time in the future. In the event that Respondent does in fact apply for Wisconsin licensure as a nurse, the Board may deny that application based upon this stipulation, without further notice or hearing, and Respondent hereby expressly waives all rights to a hearing on any such denial.

5. Respondent agrees to the adoption of the attached Final Decision and Order by the Board of Nursing. 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.

6. 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 be returned to the Division of Enforcement for further proceedings. In the event that this 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 consideration of this attempted resolution.

7. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Board of Nursing ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or her attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

8. 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.

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

Julie J. Mullikin, R.N.
P.O. Box 113
Gordon, WI 54838

Date

Jeanette Lytle, Attorney
Division of Enforcement
Wisconsin Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Date