

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
LAWANDA L. ROBINSON, R.N.,	:	<u>ORDER 0000077</u>
RESPONDENT.	:	

[Division of Enforcement Case # 08 NUR 438]

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

Lawanda L. Robinson, R.N.
8965 N. 96th Street #2
Milwaukee, WI 53224

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

Wisconsin Board of Nursing
Department of Regulation and 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 this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Lawanda L. Robinson, R.N., Respondent, date of birth February 1, 1958, is licensed by the Wisconsin Board of Nursing as a registered nurse in the state of Wisconsin pursuant to license number 137511, which was first granted March 20, 2001.

2. Respondent's last address reported to the Department of Regulation and Licensing is 8965 N. 96th Street #2, Milwaukee, WI 53224.

3. Respondent was employed as a registered nurse by Maxim Healthcare Services, a nurse staffing agency located in Wauwatosa, Wisconsin, and in December 2008, worked as a contract employee at Select Specialty Hospital in West Allis.

4. On December 11, 2008, all nurses and staff at the Hospital were required to submit to a drug test because it had been determined that opioid medications were missing on the floor. Respondent's drug test was negative for opioids, but positive for the active ingredient in marijuana, which is a schedule I controlled substance pursuant to Wis. Stat. § 961.14(4)(t).

5. Although another nurse was later identified as the person who diverted the medication, Respondent's employment contract was terminated based on the positive drug test.

6. Respondent did not receive the active ingredient in marijuana from a practitioner or pursuant to the order of a practitioner and Respondent's possession of it was in violation of Wis. Stat. § 961.41(3g)(e), a law substantially related to the practice of nursing.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter pursuant to Wis. Stat. § 441.07 and authority to enter into this stipulated resolution pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by engaging in the conduct set out above, has violated a law substantially related to practice under her license, which is unprofessional conduct as defined by Wis. Adm. Code § N 7.04(1) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Lawanda L. Robinson, R.N., is hereby REPRIMANDED for the above conduct.

2. Respondent shall, within 120 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$165.00, pursuant to Wis. Stat. § 440.22(2).

3. Payment shall be mailed or delivered to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Fax (608) 266-2264
Telephone (608) 267-3817

4. In the event that Respondent fails to pay costs as ordered, Respondent's license may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

Wisconsin Board of Nursing

By: Marilyn Kaufmann
A Member of the Board

2/25/10
Date

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