

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TYRA B. LEA, L.P.N.,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

Order 0000198

[Division of Enforcement Case # 10 NUR 029]

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

~~Tyra B. Lea, L.P.N.~~

P.O. Box 250554

Milwaukee, WI 53225

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. Tyra B. Lea, L.P.N., Respondent, date of birth February 14, 1977, is licensed by the Wisconsin Board of Nursing as a practical nurse in the state of Wisconsin pursuant to license number 308747, which was first granted October 26, 2007.

2. Respondent's last address reported to the Department of Regulation and Licensing is P.O. Box 250554, Milwaukee, WI 53225.

3. On December 8, 2009, Respondent voluntarily submitted to a reasonable suspicion drug test in accordance with her employer's policy. The sample was positive for marijuana metabolite. Marijuana is a schedule I controlled substance pursuant to Wis. Stat. § 961.14(4)(t).

4. Respondent was offered the opportunity to explain this test result and admitted to smoking marijuana approximately three weeks prior.

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 described above, is subject to disciplinary action against her license to practice as a licensed practical nurse in the State of Wisconsin, pursuant to Wis. Stat. § 441.07(1)(b) and (d), and Wis. Adm. Code §, N 7.04(1), (2) and (15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Tyra B. Lea, L.P.N., is REPRIMANDED for her unprofessional conduct in this matter.

2. Respondent shall not consume any controlled substance listed in Schedule I-IV, without a valid prescription of an authorized prescriber, and for a valid medical purpose. Respondent shall, upon request of the Board or its designee, or the Department, or an investigator thereof (including a law enforcement officer, acting at the request of the Board or its designee, the Department, or an investigator thereof), submit a sample of Respondent's blood, urine, breath, and/or hair (as designated by the requesting person) for analysis, forthwith upon such request. This shall not be deemed a limitation upon Respondent's license, but failure to comply shall be a violation of an Order of the Board.

3. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing the costs of investigating and prosecuting this matter, in the amount of \$200.00, pursuant to Wis. Stat. § 440.22(2).

4. All payments required by this Order shall be mailed or delivered to:

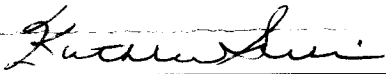
Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Fax (608) 266-2264
Telephone (608) 267-3817

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's

license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit full payment of the costs as ordered, Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has paid the costs, in full, together with any accrued interest.

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

Wisconsin Board of Nursing

By: 
A Member of the Board

5/6/10
Date

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