

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
ERIK R. LULL, R.N., : FINAL DECISION AND ORDER
RESPONDENT. :
ORDER 0000989

Division of Enforcement Case # 10 NUR 514

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

Erik R. Lull, R.N.
2011 Ohio Ave.
Superior, WI 54880-2020

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. Erik R. Lull, R.N., (D.O.B. 1/1/1983) is licensed as a professional nurse in the State of Wisconsin (license # 30-151975). This license was first granted on 7/15/2005.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 2011 Ohio Ave. Superior, WI 54880-2020.

3. Between June 15, 2007 and September 18, 2007, while employed at St. Mary's Medical Center in Duluth, Minnesota, Respondent was found to have diverted Morphine and Dilaudid for personal use. Respondent frequently withdrew narcotics from the Pyxis machine and failed to document on either the Medication Administration Record or on the patient record. Respondent also frequently withdrew greater than ordered amounts of narcotics.

4. On December 4, 2008, Respondent agreed to and signed a Consent Order issued by the Minnesota Board of Nursing; Respondent agreed to cooperate with the Health Professionals Services Program ("HPSP") and submit urine samples for toxicology testing.

5. In July 2009, Respondent questioned for suspicion of submitting falsified urine samples for July 6 and July 11, 2009. After multiple attempts to obtain information from Respondent, without reply, the HPSP discharged Respondent for lack of communication and problems with urine samples submitted in July 2009.

6. On September 15, 2009, Respondent was served with a Notice of Hearing for Alleged Noncompliance with Stipulation and Consent Order. Respondent failed to reply to the notice and failed to appear at the scheduled Board Review Panel. Thus, on October 21, 2009, the Minnesota Board of Nursing SUSPENDED the Respondent's license for an indefinite period of time.

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 paragraphs 3 through 6 above constitutes a violation of Wisconsin Administrative Code § N 7.04(1), (2), and (7), and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

1. The SURRENDER of the license of Erik R. Lull, R.N. to practice nursing in the State of Wisconsin is hereby accepted.

2. The SURRENDER of the privilege of Erik R. Lull, R.N. to practice nursing in the State of Wisconsin under another state license pursuant to the Nurse Licensure Compact is hereby accepted.

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

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

Board of Nursing

By: L. W. King, RN, APRN
A Member of the Board

7/21/11
Date