

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
MEDICAL EXAMINING BOARD
BEFORE THE OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : **FINAL DECISION AND ORDER**
LISA A. HALVORSEN, O.T., :
RESPONDENT. : **ORDER 0002110**

Division of Legal Services and Compliance¹ Case Nos. 11 OTB 4, 12 OTB 4

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

Lisa A. Halvorsen, O.T.
E9450A Dellwood Court #16
Reedsburg, WI 53959

Wisconsin Occupational Therapists Affiliated Credentialing Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL FACTS

A disciplinary proceeding was commenced in 11 OTB 4 by the filing of a Notice of Hearing and Complaint with the Board on July 18, 2012. Prior to the hearing on the Complaint, the parties in this matter agreed to the terms and conditions of the attached Stipulation as the final disposition of this matter, and 12 OTB 4, subject to the approval of the Board. 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, Conclusion of Law and Order:

FINDINGS OF FACT

1. Respondent Lisa A. Halvorsen, O.T., (dob August 18, 1964) is licensed in the State of Wisconsin to practice occupational therapy, having license number 26-3204, first issued January 8, 1999 and current through May 31, 2013. Respondent's most recent address on file with

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

the Wisconsin Department of Safety and Professional Services (Department) is E9450A
Dellwood Court #16, Reedsburg, WI 53959.

2. On or about August 5, 2010, Respondent was required to submit a sample of urine from her body, following an allegation that medication was missing from the home of a patient she had served as an occupational therapist. The sample revealed that she had metabolites of marijuana, lorazepam, cocaine, hydrocodone, and oxycodone, all of which are controlled substances. Respondent was unable to produce valid prescriptions for any of these substances, nor did she have any legitimate explanation for their presence in her body.

3. In the winter and spring of 2011, Respondent performed services as a contracted occupational therapist at the Beloit Health and Rehabilitation Center and provided occupational therapy services to Patient L., a rehabilitation resident of the Beloit Health and Rehabilitation Center.

4. Policy at Beloit Health and Rehabilitation Center bars residents from bringing medications from outside pharmacies and other facilities with them for self-administration. Patient L. told Respondent she had two prescription pain medications in her purse (oxycodone and hydrocodone products, both of which are controlled substances) due to the high level of pain she was occasionally experiencing. Patient L. reported that she did not tell any supervisory staff member about the medications.

5. At Patient L.'s request, on three separate occasions, Respondent administered the prescription medications to Patient L. Respondent then asked Patient L. not to tell anyone, as medications were only allowed to be administered by the nursing staff.

6. Patient L.'s son saw Respondent handling the medications on two occasions, April 4, 2011 and on April 8, 2011. He witnessed Respondent actually administer medication to Patient L. on April 8, 2011.

7. On April 13, 2011, Patient L. reported that 30-35 of the oxycodone product pills were missing from her purse.

8. During the facility investigation, Respondent denied having any knowledge of Patient L.'s oxycodone and hydrocodone. She said that Patient L. once complained that her pain was so bad she should bring the medications in from home. Respondent said she told Patient L. that if she felt her pain was handled more effectively at home, she should be discharged. Respondent denied seeing, administering, or stealing the medication.

9. The facility interviewer noted that during the questioning, Respondent's body movements were jerky and pupils appeared to be "pin-points," both of which are evidence of opioid use.

10. Respondent has two convictions for operating a motor vehicle while influenced by an intoxicant. Respondent has admitted to being a recovering alcoholic, and is currently in treatment for substance dependence.

11. On January 18, 2012, Respondent entered a plea of guilty to obtaining a controlled substance by fraud in Cerro Gordo County, Iowa. Judgment of conviction was deferred pending successful completion of three years of probation. The underlying circumstances were that Respondent altered a valid prescription for 40 tablets of an oxycodone product, a schedule II controlled substance, to 140 tablets; Respondent presented the altered prescription to a pharmacy, and received 140 tablets on February 6, 2011.

12. On or about February 1, 2012, Respondent created a document which purported to be a certificate that she had completed a class in cardiopulmonary resuscitation. She then submitted this document to an agency as part of an effort to obtain employment as an occupational therapist. When questioned about this by a sheriff's detective, Respondent falsely stated that the certificate was valid.

13. On October 3, 2012, Respondent was arrested in the city of Baraboo, Wisconsin, for driving while suspended, and found to be in possession of marijuana, a schedule I controlled substance. Respondent was also in possession of both hydrocodone and morphine products (both of which are controlled substances), some of which were in unlabeled prescription-type bottles and others of which were in an unlabeled plastic bag. On that occasion, Respondent gave a false name to the police.

CONCLUSIONS OF LAW

1. The Wisconsin Occupational Therapists Affiliated Credentialing Board has jurisdiction over this matter pursuant to Wis. Stat. § 448.968 and authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent Lisa A. Halvorsen, O.T., constitutes unprofessional conduct as defined in Wis. Admin. Code § OT 5.02(12) and (18).

3. As a result of the above conduct, Respondent Lisa A. Halvorsen, O.T., is subject to discipline pursuant to Wis. Stat. § 448.968(2)(f).

ORDER

1. The attached Stipulation is accepted

2. The SURRENDER by Respondent Lisa A. Halvorsen, O.T., of her license and registration to practice occupational therapy in the state of Wisconsin and her right to renew that license and registration is hereby ACCEPTED.

3. Costs are assessed, but payment of Costs in this matter is deferred. Respondent shall pay Costs of \$2,000, to the Department of Safety and Professional Services, before she may be issued any credential under Wis. Stat. chs. 440-480.

4. Within 14 days from the date of this Order, Respondent shall mail or physically deliver all indicia of Wisconsin licensure to the Department Monitor (address below).

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

WISCONSIN OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD

by:


A Member of the Board

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October 30, 2012

Date