

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LOLITA LEE, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**0004195**

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Division of Legal Services and Compliance Case No. 15 NUR 069

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

Lolita Lee, R.N.  
9123 N. 70<sup>th</sup> Street  
Milwaukee, WI 53223-2115

Wisconsin Board of Nursing  
P.O. Box 8366  
Madison, WI 53708-8366

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Board of Nursing (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Lolita Lee, R.N., (dob February 16, 1966) is licensed in the State of Wisconsin as a professional nurse, having license number 151295-30, first issued on March 22, 2006 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 9123 North 70<sup>th</sup> Street, Milwaukee, Wisconsin 53223-2115.

2. Upon information and belief, Respondent's most current address is 15614 Duck Trail Lane, St. Paul, Minnesota 55124.

3. At all times relevant to this proceeding, Respondent was employed as a professional nurse at a hospital (Hospital), located in Milwaukee, Wisconsin.

4. Respondent, while employed at the Hospital in 2010, knowingly made false statements about her employment status to obtain unemployment benefits which totaled approximately \$40,000.00.

5. On June 21, 2012, in Milwaukee County circuit court case no. 12CM2043, Respondent was convicted of unemployment compensation fraud to obtain benefits, in violation of Wis. Stat. § 108.24(1), and ordered to pay restitution in the amount of \$36,616.00.

6. Respondent failed to report her criminal conviction to the Department within 48 hours of the date of conviction, as required by Wis. Stat. § 440.03(13)(am).

7. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### 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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 440.03(13)(am)<sup>1</sup>, by failing to report a felony or misdemeanor conviction to the Department within 48 hours after the entry of the judgment of conviction.

3. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(1)<sup>2</sup> by violating a law substantially related to the practice of professional nursing.

4. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(13) by obtaining compensation by fraud.

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d).

#### ORDER

1. The attached Stipulation is accepted.
2. Respondent Lolita Lee, R.N., is REPRIMANDED.

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<sup>1</sup> Wis. Stat. (2011-2012).

<sup>2</sup> All references to Wis. Admin. Code § N 7.04 refer to the code as it existed before August 1, 2014.

3. The professional nursing license issued to Lolita Lee, R.N., (license number 151295-30) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are INDEFINITELY LIMITED as follows:

- a. Respondent shall submit proof of payment of the court ordered restitution on a quarterly basis to the Department Monitor at the address below.
- b. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed of the full amount of the court ordered restitution.

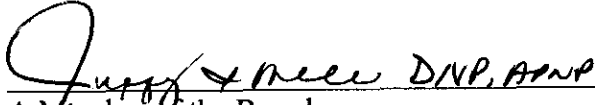
4. Proof of payment of the court ordered restitution shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

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 proof of payment of the court ordered restitution, Respondent's license (no. 151295-30) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has submitted quarterly reports proving compliance with court ordered restitution payments.

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

WISCONSIN BOARD OF NURSING

by:  J. M. Lee DNP, APRN  
A Member of the Board

8.13.15  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LOLITA LEE, R.N.,  
RESPONDENT.

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STIPULATION

0004195

Division of Legal Services and Compliance Case No. 15 NUR 069

Respondent Lolita Lee, R.N., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, 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 Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- 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 Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). 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.

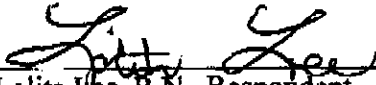
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the 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 the consideration of this attempted resolution.


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

7. 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.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
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Lolita Lee, R.N., Respondent  
9123 N. 70<sup>th</sup> Street  
Milwaukee, WI 53223  
License no. 151295-30

7/16/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Kim M. Kluck, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison WI 53707-7190

7/17/15  
\_\_\_\_\_  
Date