

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 :
: FINAL DECISION AND ORDER
KELLY A. LILJA, R.N., : ORDER 0007217
RESPONDENT. :

Division of Legal Services and Compliance Case No. 20 NUR 485

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

Kelly A. Lilja, R.N.
Fond du Lac, WI 54937

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 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 Kelly A. Lilja, R.N., (Year of Birth 1968) is licensed in the state of Wisconsin as a registered nurse with multistate privileges pursuant to the Enhanced Nurse Licensure Compact (Compact), having license number 156588-30, first issued on January 17, 2007, with expiration after February 28, 2022. Respondent's registered nurse license is currently suspended pursuant to Interim Order No. 7217, issued by the Board on February 11, 2021.
2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Fond du Lac, Wisconsin 54937.
3. At all times relevant to this proceeding, Respondent was employed as a registered nurse at a healthcare facility in Wisconsin (Facility).

4. Respondent admitted that during August 2020, she diverted both tablet and liquid forms of controlled substances from the Facility for her own use.

5. On February 10, 2021, Respondent voluntarily agreed not to practice as a registered nurse in the state of Wisconsin, or any other state pursuant to her multistate privileges, pending the Department's investigation of this case. Respondent is currently employed outside of nursing and has no plans to resume her nursing practice.

6. Respondent regrets her actions and maintains she diverted the medication to help her anxiety.

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

CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in these matters 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 improperly obtained, possessed, or attempted to obtain or possess, a drug without lawful authority within the meaning of Wis. Admin. Code § N 7.03(8)(e).

3. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b), (c), and (d), and Wis. Admin. Code § N 7.03.

ORDER

1. The attached Stipulation is accepted.


2. The voluntary PERMANENT SURRENDER by Respondent Kelly A. Lilja, R.N., of her license to practice as a registered nurse in the state of Wisconsin (license number 156588-30), and of her privileges to practice pursuant to the Compact, is accepted.

3. This surrender constitutes Respondent's permanent relinquishment of her license to practice as a registered nurse in the state of Wisconsin, and any appurtenant right to renew that license. The Board will not, at any time in the future, process or otherwise consider an application or attempt at renewal by Respondent of the credentials necessary to practice as a registered nurse in the state of Wisconsin.

4. If Respondent ever seeks any other license under Wis. Stat. chs. 440-480, Respondent shall, as a prerequisite to application, pay the COSTS of this matter in the amount of \$849.00.

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

WISCONSIN BOARD OF NURSING

By: 

A Member of the Board

10 June 2021

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
KELLY A. LILJA, R.N.,	:	ORDER 0007217
RESPONDENT.	:	

Division of Legal Services and Compliance Case No. 20 NUR 485

Respondent Kelly A. Lilja, 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.

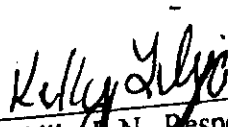
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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 or Respondent's attorney, 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.



Kelly A. Lilja, Respondent
Fond du Lac, WI 54937
License No. 156588-30

5-18-21
Date



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

5/24/2021

Date