

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

LISA M. ORTIZ,
RESPONDENT.

:
: ADMINISTRATIVE INJUNCTION
:
: **ORDER 0007345**

Division of Legal Services and Compliance Case No. 18 UNL 070

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

Lisa M. Ortiz
320 S. 7th Street, Apt. 1
Delevan, WI 53115

Division of Legal Services and Compliance
Wisconsin 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 Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Lisa M. Ortiz was previously licensed as a registered nurse in Connecticut, but is not, and has never been, licensed to practice as a nurse in the state of Wisconsin.
2. At all times relevant to these proceedings, Respondent was working as a nurse supervisor at a retirement facility located in Delevan, Wisconsin (Facility).
3. On October 10, 2019, Respondent was terminated from her employment at the Facility for falsely identifying herself as a registered nurse in medical records, including medication orders.
4. A Wisconsin Department of Health Services investigation at the Facility resulted in a Statement of Deficiencies as follows:

- a. Respondent had a signed staff nurse job description in her personnel file.
 - b. Respondent's previous nametag included "RN, Nurse or Nursing."
 - c. Respondent was taking phone orders, signing orders, and charting as an RN without a license.
 - d. Administrator acknowledgment of concern brought forth by a resident's representative when Respondent signed the resident's physician's phone order slip in the nurse signature section.
 - e. Interviews with three staff members where each staff member stated they thought Respondent was an RN or "function[ed] within the scope of an RN."
5. Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21, and is authorized to enter the attached Order pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 441.06(4), no person may practice or attempt to practice professional nursing, nor use the title, letters, or anything else to indicate that he or she is a registered or professional nurse unless he or she is licensed under Wis. Stat. § 441.06.

3. The Findings of Fact above establish the unlicensed practice of nursing under Wis. Stat. § 441.06(4).

ORDER

1. The attached stipulation is accepted.
2. Unless and until Respondent is properly licensed to practice nursing by the Wisconsin Board of Nursing (Board) Respondent is enjoined and prohibited from practicing or attempting to practice nursing in the state of Wisconsin.
3. Respondent shall provide a copy of this Administrative Injunction with any application she submits for a credential issued by the Board.
4. If the Department determines that there is probable cause to believe that Respondent has violated any terms of this Administrative Injunction, the Department may refer the violations to the appropriate prosecutorial unit for review for possible criminal charges.

5. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Issued at Madison, Wisconsin, this 23rd day of April, 2021.

By: A. Rohmeyer
Aloysius Rohmeyer, Chief Legal Counsel
On behalf of the Department

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

LISA M. ORTIZ,
RESPONDENT.

:
:
: STIPULATION
:
:

ORDER 0007345

Division of Legal Services and Compliance Case No. 18 UNL 070

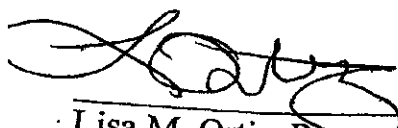
Respondent Lisa M. Ortiz and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

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 Administration Injunction by the Wisconsin Department of Safety and Professional Services (Department). The parties to the Stipulation consent to the entry of the attached Administrative Injunction without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's Order, if adopted in the form as attached.
5. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the

presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

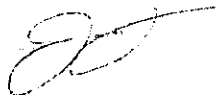
6. Respondent is informed that should the Department adopt this Stipulation, the Department's Administrative Injunction is a public record and will be published in accordance with standard Department procedure.

7. The Division of Legal Services and Compliance joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Administrative Injunction.



Lisa M. Ortiz, Respondent
320 S. 7th Street, Apt. 1
Delavan, WI 53115

04/07/2021
Date



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

4/8/21

Date