

## 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 :  
 : FINAL DECISION AND ORDER  
LISA L. MARTELL, R.N., :  
RESPONDENT. : **ORDER 0007922**

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Division of Legal Services and Compliance Case No. 20 NUR 138

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

Lisa L. Martell, R.N.  
Chippewa Falls, WI 54729

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 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. Lisa L. Martell, R.N. (Respondent), (Year of Birth 1964) is licensed in the state of Wisconsin as a registered nurse with multistate privileges pursuant to the Enhanced Nursing Licensure Compact (Compact), having license number 175594-30, first issued on December 14, 2010, and current through February 29, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Chippewa Falls, Wisconsin 54729.

2. At all times relevant to this proceeding, Respondent was employed as a registered nurse at a methadone treatment center located in Eau Claire, Wisconsin (Facility).

3. On the morning of January 23, 2020, after administering methadone to patients and drawing blood from methadone recipients, Respondent was found diaphoretic, largely unresponsive, and with pin-point pupils. Respondent was transported to the hospital (Hospital A) via ambulance and was administered Narcan. Respondent refused treatment and left Hospital A against medical advice, at approximately 10 a.m.

4. On the evening of January 23, 2020, Respondent was found unresponsive at home by her husband and was transported to the hospital (Hospital B) via ambulance. Respondent was administered Narcan. While at the hospital, Respondent initially denied use of controlled substances but later admitted to taking Vicodin the prior evening which was left over from wrist surgery. A urine drug screen performed at the hospital returned positive for methadone.

5. On January 24, 2020, Respondent underwent a Substance Use Consultation which found that Respondent lacks judgment and honesty, that she met the DSM-5 diagnostic criteria for opioid use disorder (mild), and that Respondent should seek outpatient AODA therapy following inpatient detoxification. Respondent was issued a prescription for Narcan. Respondent refused further treatment and work-up, and was then discharged from Hospital B later that day.

6. On January 25, 2020, Respondent's husband called the hospital advising that his wife was lethargic, confused, and clammy. Respondent's husband confirmed that the Narcan prescription was filled, and that Respondent was taking the Narcan as prescribed.

7. Respondent denied the use of methadone, obtained another urine drug screen from a private clinic which was negative for methadone, and submitted a letter from a local physician that stated that Benadryl can cause a positive test result for methadone.

8. Respondent returned to work on February 6, 2020, but was later terminated from her position at the Facility.

9. Respondent denies diverting methadone and contends that any methadone in her system was the result of administering methadone to patients. Respondent denies any addiction or impairment issues.

10. 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 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 is unable to practice safely by reason of alcohol or other substance use within the meaning of Wis. Admin. Code § N 7.03(6)(f).

3. By the conduct described in the Findings of Fact, Respondent obtained or possessed a drug without lawful authority within the meaning of Wis. Admin. Code § N 7.03(8)(e).

4. 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. Respondent is REPRIMANDED.

3. Respondent's license to practice as a registered nurse in the state of Wisconsin (license number 175594-30), and her privilege to practice in Wisconsin pursuant to the Compact, are LIMITED as follows:

- a. Within sixty (60) days from the date of this Order, Respondent shall, at her own expense, undergo and complete an Alcohol and Other Drug Abuse (AODA) assessment with an evaluator pre-approved by the Board or its designee who has experience conducting these assessments (Evaluator) and who has not previously treated Respondent.
  - i. Prior to the assessment, Respondent shall provide a copy of this Order to the Evaluator. Respondent shall provide the Department Monitor with written acknowledgment from the Evaluator that a copy of this Order has been received by the Evaluator. Such acknowledgment shall be provided to the Department Monitor prior to the assessment.
  - ii. Respondent shall provide and keep on file with the Evaluator current releases complying with state and federal laws. The releases shall allow the Board, its designee, and any employee of the Department to obtain a copy of the assessment. Copies of these releases shall immediately be filed with the Department Monitor.
  - iii. Respondent shall identify and provide the Evaluator with authorizations to communicate with all physicians, mental health professionals, and facilities at which Respondent has been treated or evaluated.
  - iv. Respondent is responsible for ensuring that the results of the evaluation are sent to the Department Monitor at the address below.
  - v. Respondent shall comply with the Evaluator's recommendations.
  - vi. The Board, or its designee, may impose additional limitations upon Respondent's license based on the results of the assessment and/or the Evaluator's recommendations.

4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,644.00.

5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov


Respondent may also submit this information online at: <https://dspsmmonitoring.wi.gov>.

6. Pursuant to Wis. Stat. § 441.51(5)(b), Respondent's multistate licensure privilege to practice in all Compact states besides Wisconsin is deactivated during the pendency of this Order.

7. In the event Respondent violates any term of this Order, Respondent's license (number 175594-30), or Respondent's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

WISCONSIN BOARD OF NURSING

By:   
A Member of the Board of Nursing

4/14/2022  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LISA L. MARTELL, R.N.,  
RESPONDENT.

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:  
:  
:  
:

STIPULATION

**ORDER 0007922**

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Division of Legal Services and Compliance Case No. 20 NUR 138

Lisa L. Martell, R.N. (Respondent), 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.

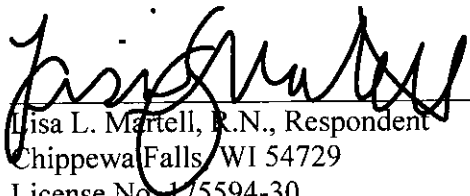
5. If the terms of this Stipulation are not acceptable to the Board the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

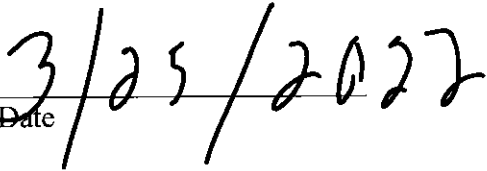
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.


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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Lisa L. Martell, R.N., Respondent  
Chippewa Falls, WI 54729  
License No. 175594-30

  
\_\_\_\_\_  
Date

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

3/28/2022  
\_\_\_\_\_  
Date