

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF

DISCIPLINARY PROCEEDINGS AGAINST

BRIAN K. WILLIAMS, L.P.N.,	FINAL DECISION AND ORDER
RESPONDENT.	LS99051418

98 NUR 170

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

*Brian K. Williams
7402 W. Thurston Avenue
Milwaukee, WI 53218*

*Wisconsin Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935*

*Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, 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

1. Brian K. Williams (dob: 4/05/61) is and was at all times relevant to the facts set forth herein a licensed practical nurse licensed in the State of Wisconsin pursuant to license # 33601 . This license was first granted 4/25/96.
2. On September 25, 1998, while employed as a practical nurse at the Mequon Care Center, Respondent failed to administer at least ten medications to residents and attempted to throw the medications out. The medications included amoxicillin, cerovite,Trental and calcium.
3. When confronted by his employer Respondent stated he had been under great stress and had symptoms of an anxiety attack at the time of the incident.
4. An evaluation of Respondent conducted in November, 1998, by Michael Lever, Ph.D. resulted in a an impression of depression and anxiety which interfered with Respondent’s ability to carry out his job duties.
 1. Respondent has participated in counseling for his condition with Dr. Lever.

6. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to §441.07(1)(b)(c) and(d) Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.

7. The conduct described in paragraphs 2 through 5, above, violated § N 7.03(1)(a), (b) and (d) and N 7.04(1) and (15) Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED that Brian K. Williams is REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that the license to practice of Respondent shall be LIMITED for a period of not less than one year as follows:

REHABILITATION, MONITORING AND TREATMENT

Treatment Required

1. Respondent shall continue successful participation in counseling and therapy for his anxiety and depression. The frequency of therapy sessions shall be as recommended by his therapist but shall be not less than twice monthly. Such therapy shall be conducted by a qualified physician or therapist acceptable to the Board. Michael D. Lever, Ph.D. is an acceptable therapist.

Department Monitor

2. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all reports and petitions, and requesting additional monitoring and surveillance. The Department Monitor may be reached as follows:

Department Monitor

Department of Regulation Division of Enforcement

P.O. Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 267-7139

Releases

3. Respondent shall provide and keep on file with the therapist current releases which comply with state and federal laws authorizing release of all medical and treatment records and reports to, and permitting the therapist and all treating physicians to disclose and discuss the progress of respondent's treatment and rehabilitation with the Board or any member thereof, or with any employee of the Department of Regulation and Licensing acting under the authority of the Board. Copies of these releases shall be filed simultaneously with the Department Monitor.

Required reporting by Respondent

4. Respondent is responsible for compliance with all of the terms and conditions of this Final Decision and Order. It is the responsibility of Respondent to promptly notify the Department Monitor, of any suspected violations of any of the terms and conditions of this Order.

PETITIONS FOR MODIFICATION OF TERMS

5. After one year of continuous active professional practice under this Order and upon recommendation of the therapist, respondent may petition the Board for a termination of all limitations on the license, and restoration of an unlimited license. Such restoration shall be in the sole discretion of the Board, and denial of the petition in whole or in part shall not be considered a denial of a license within the meaning of Sec. 227.01(3)(a), Stats. and Respondent shall not have a right to any further hearings or proceedings on any denial in whole or in part of the petition for termination of the limitations and restoration of unlimited licensure.

EXPENSES OF TREATMENT AND MONITORING

6. Respondent shall be responsible for all costs and expenses incurred in conjunction with compliance with the terms of this Order.

PRACTICE LIMITATIONS

Employment and Supervision

7. During the term of this Order, Respondent shall refrain from employment as an agency or pool nurse. Respondent shall practice only under the general supervision of a licensed professional nurse or other licensed health care professional approved by the Board or in a work setting pre-approved by the Board or its designated agent.

Reporting Required

8. Respondent shall arrange for his employer to provide formal written reports to the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, Wisconsin 53708-8935 on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance.

Change in Address or Work Status

9. Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

10. Respondent shall furnish a copy of this Order to all present employers immediately upon issuance of this Order, and to any prospective employer when respondent applies for employment as a health care provider.

Violation of any of the terms of this Order shall 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 deny a stay of suspension of the license or impose additional conditions and limitations or other discipline.

This Order shall become effective upon the date of its signing.

WISCONSIN BOARD OF NURSING

by:

Timothy D. Burns, CRNA

a member of the Board

May 14, 1999

Date

