

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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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
ROBERT E. HALTNER, R.N.,	:	Order <u>0000227</u>
RESPONDENT.	:	

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[Division of Enforcement Case # 10 NUR 093]

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

Robert E. Haltner, R.N.  
1513 S. Locust Avenue, Apt. 1  
Marshfield, WI 54449

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Board of Nursing  
Department of Regulation & Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 of Nursing. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Robert E. Haltner, R.N., Respondent, date of birth June 18, 1951, is licensed by the Wisconsin Board of Nursing as a registered nurse in the state of Wisconsin pursuant to license number 66378, which was first granted September 17, 1976.
2. Respondent's last address reported to the Department of Regulation and Licensing is 1513 S. Locust Avenue, Apt. 1, Marshfield, WI 54449.
3. At the time of the events set out below, Respondent was employed as a certified nursing assistant (CNA) at the Norwood Health Center, a nursing home in Marshfield, Wisconsin.

4. On February 4, 2010, two staff members and another patient witnessed Respondent using what they considered excessive force in redirecting Patient A to her recliner. While in the day room, Patient A had started to get up from her recliner and Respondent grabbed her by the arms and forcefully pushed her back down into the chair, telling her to "sit down and stay there."

5. Interviews with the witnesses and Patient A were held following the incident. Staff members revealed that they had seen Respondent engaging in intimidating behaviors, including yelling at and arguing with Patient A. Another patient stated that she had witnessed Respondent pushing Patient A forcefully into her chair on several occasions. Patient A revealed that she did not feel safe with Respondent.

#### 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 and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by engaging in the conduct as set out above, has committed misconduct or unprofessional conduct as defined by Wis. Adm. Code § N 7.04(4) and is subject to discipline pursuant to Wis. Stat. § 441.07(1)(d).

3. Respondent, by engaging in the conduct as set out above, has committed negligence as defined by Wis. Adm. Code § N 7.03(1) and is subject to discipline pursuant to Wis. Stat. § 441.07(1)(c).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Robert E. Haltner, R.N., is hereby REPRIMANDED for the above conduct.

2. Respondent's license to practice nursing in the State of Wisconsin, and his privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, is LIMITED as follows:

a. Respondent, at his own expense, shall complete a total of nine (9) hours of pre-approved continuing education in the following areas: three (3) hours in patient rights, three (3) hours in anger management, and three (3) hours in patient abuse, within 90 days of the date of this Order. Respondent is responsible for finding appropriate courses and submitting the course information to the Board for approval prior to taking the course and in sufficient time to obtain board approval within the 90-day time frame, taking into account the Board's meeting schedule.

b. Upon Respondent providing proof sufficient to the Board, or its designee, that he has completed the education, the Board shall issue an Order removing this limitation of Respondent's license.

c. Pursuant to Uniform Nurse Licensure Compact regulations, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation.

This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and the regulatory board in the state in which Respondent proposes to practice.

3. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$100.00 pursuant to Wis. Stat. § 440.22(2).

4. Requests for approval, notification of completion of educational programs and payment shall be faxed, mailed or delivered to:

~~WISCONSIN~~ ~~BOARD OF NURSING~~  
Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax (608) 266-2264  
Telephone (608) 267-3817

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 that Respondent fails to pay costs as ordered or fails to comply with the ordered continuing education, Respondent's 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 this Order.

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

Wisconsin Board of Nursing

By: Marilyn Kaufmann  
A Member of the Board

6/3/10  
Date