

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

FINAL DECISION AND ORDER

WILLIAM R. MARSHALL, R.N. :
RESPONDENT. :

Order 0000317

Division of Enforcement Case #08 NUR 180

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

William R. Marshall
2153 Schneider Ave
Oshkosh WI 54904

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

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. 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. William R. Marshall (D.O.B. 9/24/51) is duly licensed in the state of Wisconsin as a professional nurse (license # 132057). This license was first granted on 4/21/99.
2. On 5/4-5/08, Respondent was on duty at the Aurora Medical Center, Oshkosh, Wisconsin, as a floor nurse, on a 12 hour night shift (6 PM to 6:30 AM). He was assigned to care for, among others, L.L., a man born in 1926 and weighing 110 lbs., and who was diagnosed with dementia and other conditions. The patient was at risk for falling if he attempted to ambulate without assistance, and there was an alarm to alert staff if he attempted to get out of

bed. The patient was restless, and the alarm was activated several times throughout Respondent's shift.

3. At approximately 4 AM, the patient's bed alarm was again activated, and Respondent went to the patient's room. He observed the patient to be standing at the side of the bed, and apparently pulling on the patient's IV tubing, for the purpose of removing it; the patient stated that he was going home. Respondent spoke loudly to the patient and placed his hand on the patient's chest in a manner which physically prevented the patient from walking forward, and resulted in the patient's falling backwards to a seated position on the patient's bed. The patient and Respondent engaged in argument until other staff entered the room.

CONCLUSION OF LAW

By the conduct described above, respondent is subject to disciplinary action against his license to practice as a nurse in the state of Wisconsin, pursuant to Wis. Stat. § 441.07(1)(b), (c) and (d), and Wis. Adm. Code §§ N 6.03(1)(c) and (d), N 6.05, N 7.03(1)(a) and (b), and N 7.04(15).

ORDER

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

1. Respondent, William R. Marshall, R.N., is REPRIMANDED for his unprofessional conduct in this matter.
2. The license of Respondent to practice as a nurse in the state of Wisconsin is LIMITED as follows:
 - a. No later than 9/30/10, Respondent shall demonstrate satisfactory completion of no fewer than 3 hours of continuing education in the area of handling disruptive patients, which shall have been pre-approved by the Board or its designee.
 - b. No later than 12/31/10, Respondent shall demonstrate satisfactory completion of an anger management program, which shall have been pre-approved by the Board or its designee.
 - c. Respondent shall provide his nursing employers with a copy of this Order before engaging in any nursing employment.
 - d. When Respondent has demonstrated satisfactory completion of the required programs, these limitations shall be removed by staff, without further action by the Board, and Respondent's unlimited license shall be restored.
3. 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 Respondent fails to timely demonstrate compliance with the ordered

continuing education as set forth above, the Respondent's license shall be SUSPENDED, without further notice or hearing, until Respondent has demonstrated satisfactory completion of the continuing education.

IT IS FURTHER ORDERED that respondent shall pay the costs of investigating and prosecuting this matter, in the amount of \$500, within 120 days of this Order. If not paid, Respondent's license shall be SUSPENDED without further notice or hearing, until they are paid in full, together with any accrued interest.

WISCONSIN BOARD OF NURSING

By: 
A Member of the Board

7/22/10
Date

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