

## 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

ROBERT C. BLACK, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0002589

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Division of Legal Services and Compliance<sup>1</sup> Case No. 12 NUR 472

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

Robert C. Black, R.N.  
1169 Broderick Road  
Omro, WI 54963

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

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
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 disposition of this matter, subject to the approval of the Wisconsin 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. Respondent Robert C. Black, R.N., (dob November 9, 1976) is licensed in the State of Wisconsin as a professional nurse, having license number 162432-30, first issued on March 26, 2008 and current through February 28, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1169 Broderick Road, Omro, Wisconsin 54963.

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<sup>1</sup> The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at a medical care center (Center), located in Oshkosh, Wisconsin.

3. On or about February 19, 2012, Dr. L. and nurse M.W. were assessing Patient A, an ICU patient. During this assessment, they discovered the oximetry monitor was not properly hooked-up to Patient A or the monitor.

4. Dr. L. and nurse M.W. reviewed Patient A's chart for past oximetry readings and discovered Respondent had documented several oximetry readings over the past twelve hours.

5. Dr. L. and nurse M.W. checked the bedside and central monitoring system and found no readings recorded for the past twelve hours.

6. During Respondent's unemployment hearing on July 23, 2012, Respondent admitted to falsifying patient records by recording false pulse oximetry readings.

7. On November 11, 2012, Respondent complete three (3) hours of education on the topic of maintaining ethics, boundaries and professionalism in nursing.

8. In Respondent's April 5, 2013 response, through his attorney, Respondent admitted to discovering the monitor was not properly connected and, therefore, Respondent filled in Patient A's record based on previously recorded data.

9. Patient A was not harmed as a result of Respondent's actions. However, Respondent understands the severity of his actions and consents to the conclusions of law and discipline.

10. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### 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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Robert C. Black, R.N., was negligent as defined by Wis. Admin. Code. § N 7.03(1)(b) by an act or omission demonstrating a failure to maintain competency in the practice and methods of nursing care.

3. By the conduct described in the Findings of Fact, Robert C. Black, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code. § N 7.04(6) by falsifying patient records.

4. As a result of the above violations, Robert C. Black, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b), (c) and (d).

## ORDER

1. The attached Stipulation is accepted.
2. Respondent Robert C. Black, R.N., is REPRIMANDED.
3. The Board recognizes the aforementioned continuing nursing education course as equivalent to the education the Board would have required in the areas of ethics, boundaries and professionalism in nursing.
4. The professional nursing license issued to Robert C. Black, R.N., (license number 162432-30) and his privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:
  - a. Within 90 days of the date of this Order, Respondent shall at his own expense, successfully complete three (3) hours of education on the topic of sharpening critical thinking skills offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.
  - b. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
  - c. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.
5. Within 120 days from the date of this Order, Robert C. Black, R.N., shall pay COSTS of this matter in the amount of \$500.00.
6. Request of approval of courses, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 8935, Madison, WI 53708-8935  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov
7. 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 submit payment of the costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 162432-30) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs and submit proof of completion of the education.

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

WISCONSIN BOARD OF NURSING

by: *Shelley Lowe*  
A Member of the Board

9/12/13  
Date