

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

WILLIAM O. CAULEY, L.P.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

0003891

Division of Legal Services and Compliance Case No. 15 NUR 017

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

William O. Cauley, L.P.N.
1885 N. Rice Lake Rd.
Spooner, WI 54801

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 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 William O. Cauley (dob September 29, 1984) is licensed in the State of Wisconsin as a practical nurse, having license number 316925-31, first issued on April 24, 2013 and current through April 30, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1885 North Rice Lake Road, Spooner, Wisconsin 54801.

2. At all times relevant to this proceeding, Respondent was employed as a practical nurse at a retirement center (Center), located in Rice Lake, Wisconsin.

3. On March 16, 2015, Respondent was charged with ten (10) counts of possession of child pornography, in violation of Wis. Stat. § 948.12(1m), one (1) count of possession of THC, in violation of Wis. Stat. § 961.41(3g)(e), and one (1) count of possession of drug paraphernalia, in violation of Wis. Stat. § 961.573(1), in Burnett County case number 2015CF34.

4. The above charges arose out of the following facts:

- a. On February 12, 2015, law enforcement officers executed a lawful search warrant of Respondent's residence.
- b. Respondent downloaded, viewed and saved images and videos of child pornography.
- c. Law enforcement officers located 138 pornographic images and videos in Respondent's residence; ten (10) of which were confirmed to be pre-pubescent female children.
- d. During the execution of the search warrant, officers found marijuana and a marijuana pipe in Respondent's bedroom.

5. 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, William O. Cauley, L.P.N., violated Wis. Admin. Code § 7.03(2) by violating or aiding and abetting a violation of any law substantially related to the practice of nursing or being convicted of any crime substantially related to the practice of nursing.

3. By the conduct described in the Findings of Fact, William O. Cauley, L.P.N., violated Wis. Admin. Code § 7.03(8)(e) by obtaining, possessing or attempting to obtain or possess a drug without lawful authority.

4. As a result of the above violations, William O. Cauley, L.P.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (c).

ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER of the license and privilege of William O. Cauley, L.P.N., (license no. 316925-31) to practice nursing in the State of Wisconsin or under another state license pursuant to the Nurse Licensure Compact is hereby accepted.

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

WILLIAM O. CAULEY, L.P.N.,
RESPONDENT.

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:
:

STIPULATION

0003891

Division of Legal Services and Compliance Case No. 15 NUR 017

Respondent William O. Cauley, L.P.N., 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.

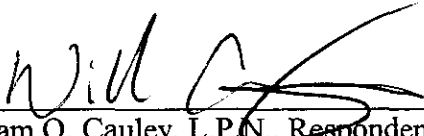
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

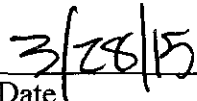
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes 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.

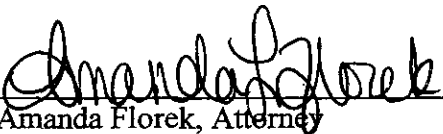
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



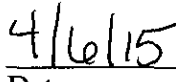
William O. Cauley, L.P.N., Respondent
1885 N. Rice Lake Rd
Spooner, WI 54801
License no. 316925-31



Date



Amanda Florek, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison WI 53707-7190



Date