

## 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 THE LICENSE OF	:	
	:	FINAL DECISION AND ORDER
	:	FOR REMEDIAL EDUCATION
MARCHELLIE C. SHELDON, R.N.,	:	
LICENSEE.	:	<b>ORDER 0008148</b>

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Division of Legal Services and Compliance Case No. 21 NUR 252

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

Marchellie C. Sheldon, R.N.  
Jacksonville, FL 32217

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. Licensee Marchellie C. Sheldon, R.N., (Year of Birth 1982) is licensed in the state of Wisconsin as a registered nurse, having license number 240877-30, first issued on April 2, 2018 and current through February 29, 2024.<sup>1</sup> Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Jacksonville, Florida 32217.

2. On April 26, 2017, Licensee submitted an application for a Wisconsin license to practice as a registered nurse. On her application, Licensee accurately reported that she was convicted of four misdemeanors prior to that date. The application included a Continuing Duty of

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<sup>1</sup> As of February 25, 2022, this license is Inactive based on Licensee changing her primary state of residence to Florida.

Disclosure clause, which reads as follows: “I understand that I have a continuing duty of disclosure during the application process. If information I have provided in this application becomes invalid, incorrect or *outdated*, I understand that I am obliged to provide any necessary information to ensure the information on my application remains current, valid, and truthful. I understand that Credentialing authorities may view acts of omission as dishonesty and that my duty of disclosure during the application process exists *until licensure is granted or denied*.” (Emphasis added.)

3. On January 11, 2018, prior to any action being taken on her license application, Licensee was convicted in Eau Claire County Case Number 2017CT335 of one (1) count of OWI (3rd), a misdemeanor, in violation of Wis. Stat. § 346.63(1)(a).<sup>2</sup> Licensee did not report this conviction to the Department.

4. On April 2, 2018, Licensee was granted her Wisconsin license to practice registered nursing. In granting the license, the Department was not aware of Licensee’s OWI 3rd conviction.

5. On September 16, 2018, Licensee applied for multi-state practice privileges under the Enhanced Nurse Licensure Compact (Compact) and reported her OWI 3rd conviction to the Department for the first time, 248 days after the entry of the judgment of conviction.

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

#### CONCLUSIONS OF LAW

1. The Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

#### ORDER

1. The attached Stipulation is accepted.

2. Prior to resuming practice in Wisconsin, either under a Wisconsin licensure or pursuant to Compact privileges, Licensee shall at her own expense take and successfully complete four hours of education on the topic of disciplinary actions and two hours on the Wisconsin Nurse Practice Act as follows:

- a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the course(s) from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
- b. Licensee 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

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<sup>2</sup> The conviction is not substantially related to the practice of nursing.

have been or may be instituted by the Board and may not be used in any future attempt to upgrade a credential.

- c. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Licensee. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.

3. Requests for course approval and proof of successful course completion shall be sent by Licensee 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 7190, Madison, WI 53707-7190  
Telephone (608) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

Licensee may also submit this information online at: <https://dspsmonitoring.wi.gov>.

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

WISCONSIN BOARD OF NURSING

By: Robert Weinman TW-LCHP  
A Member of the Board

9/8/2022  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF  
MARCHELLIE C. SHELDON, R.N.,  
LICENSEE.

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:  
:

STIPULATION

ORDER 0008148

Division of Legal Services and Compliance Case No. 21 NUR 252

Licensee Marchellie C. Sheldon, R.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. Licensee consents to the resolution of this investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Licensee agrees to the adoption of the attached Final Decision and Order for Remedial Education by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order for Remedial Education without further notice, pleading, appearance or consent of the parties. Licensee 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 Licensee, 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 for Remedial Education.

7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education is a public record and will be published in accordance with standard Department procedure.

8. Licensee is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

9. The Division of Legal Services and Compliance joins Licensee in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order for Remedial Education.



Marchellie C. Sheldon, R.N., Licensee  
Jacksonville, Florida 32217  
License No. 240877-30

Date

8/4/2022



Nicholas Dalla Santa, Prosecuting Attorney  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

Date

8/8/2022