

**TRUE AND EXACT
COPY OF ORIGINAL**

**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**

In the Matter of the
Medical License of
William G. Nelson, M.D.
Year of Birth: 1954
License Number: 32,416

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between William G. Nelson, M.D. ("Respondent"), and the Complaint Review Committee ("Committee") of the Minnesota Board of Medical Practice ("Board") as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice medicine and surgery in the State of Minnesota.

2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Respondent has chosen to be represented by James P. Michels, Rice, Michels & Walther, LLP, 206 East Bridge – Riverplace, 10 Second Street Northeast, Minneapolis, Minnesota 55413, telephone (612) 676-2300. The Committee was represented by Brian L. Williams, Assistant Attorney General, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, Minnesota 55101, telephone (651) 296-7575.

FACTS

3. For the purpose of this Stipulation, the Board may consider the following facts as true:

a. Respondent was licensed by the Board to practice medicine and surgery in the State of Minnesota on January 21, 1989. Respondent is Board certified in psychiatry.

b. On October 15, 2002, Respondent entered into an Agreement for Corrective Action ("2002 Agreement") with the Board based on his engagement in unethical and unprofessional conduct. The 2002 Agreement required Respondent to successfully complete a course in professional boundaries training. On December 18, 2002, the Board issued a letter concluding that Respondent had satisfied the terms of the 2002 Agreement.

c. In September 2015 and January 2016, the Board received complaints alleging Respondent inappropriately touched and spoke to female patients during appointments between March 2014 and August 2015.

d. The Board initiated an investigation by the Attorney General's Office into Respondent's conduct which revealed that Respondent failed to maintain appropriate boundaries with three patients when he touched Patient #1's hand, Patient #2's hand, and Patient #3's hair.

e. On August 15, 2016, Respondent met with the Committee and discussed his care of and professional boundaries with Ppatients #1, #2, and #3. Respondent acknowledged that on occasion he would treat patients more as peers than patients and that his relaxed approach with some patients was offensive. Respondent acknowledged making changes to his practice to improve professional/appropriate interactions with his patients.

STATUTES

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 147.091, subd. 1(g) (engaged in unethical conduct) and (k) (failed to conform to the minimum standard of care) (2016), and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

REMEDY

5. Upon this Stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that until further Order of the Board, made after notice and hearing upon application by Respondent or upon the Board's own motion, the Board may make and enter an Order conditioning Respondent's license to practice medicine and surgery in the State of Minnesota as follows:

- a. Respondent is **REPRIMANDED**.
- b. Within 90 days of the date of this Stipulation and Order, Respondent shall successfully complete a course, approved in advance by the Committee or its designee, regarding professional boundaries.
- c. Within 90 days of the successful completion of the pre-approved professional boundaries course, Respondent shall write and submit a paper, for review and approval by the Committee or its designee, discussing what he has learned from the course, why his patients perceived his conduct as inappropriate, and what changes he has made to his practice as a result of what he learned.
- d. Respondent shall practice in a setting, approved in advance by the Committee or its designee.
- e. Respondent shall meet on a quarterly basis with a designated Board member. Such meetings shall take place at a time mutually convenient to Respondent and the designated Board member. It shall be Respondent's obligation to contact the designated Board member to arrange each of the quarterly meetings. The purpose of such meetings is to review Respondent's progress under the terms of this Stipulation and Order.

f. Respondent shall pay to the Board, within six months of the date of this Order, a civil penalty in the amount of \$7,348.50.

g. Respondent may submit a written petition for reinstatement of an unconditional license upon successful completion of the terms of this Stipulation and Order and no sooner than two years from the date of this Stipulation and Order. Upon hearing the petition, the Board may continue, modify, or remove the conditions set out herein.

6. Within ten days of signing the Stipulation to this Order, Respondent shall provide the Board with a list of all hospitals and skilled nursing facilities at which Respondent currently has medical privileges, a list of all states in which Respondent is licensed or has applied for licensure, and the addresses and telephone numbers of Respondent's residences and all work sites. Within seven days of any change, Respondent shall provide the Board with the new address and telephone information. The information shall be sent to Ruth M. Martinez, Minnesota Board of Medical Practice, University Park Plaza, 2829 University Avenue S.E., Suite 500, Minneapolis, Minnesota 55414-3246.

7. In the event Respondent resides or practices outside the State of Minnesota, Respondent shall promptly notify the Board in writing of the location of his residence and all work sites. Periods of residency or practice outside of Minnesota will not be credited toward any period of Respondent's suspended, limited, or conditioned license in Minnesota unless Respondent demonstrates that practice in another state conforms completely with Respondent's Minnesota license to practice medicine.

8. If Respondent shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, including timely submission of required reports, the Committee shall schedule a hearing before the Board. The Committee shall mail Respondent a

notice of the violation alleged by the Committee and of the time and place of the hearing. Respondent shall submit a response to the allegations at least three days prior to the hearing. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

At the hearing before the Board, the Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice, or suspension or revocation of Respondent's license.


9. In the event the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

10. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the Order to be entered pursuant to the Stipulation shall be the final Order herein.

11. Respondent hereby acknowledges that he has read and understands this Stipulation and has voluntarily entered into the Stipulation without threat or promise by the Board or any of its members, employees, or agents. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Stipulation.

Dated: 10-20-16

Dated: 11-12-16


WILLIAM G. NELSON, M.D.
Respondent


FOR THE COMMITTEE

ORDER

Upon consideration of this Stipulation and all the files, records, and proceedings herein,
IT IS HEREBY ORDERED that the terms of this Stipulation are adopted and
implemented by the Board this 12th day of November, 2016.

MINNESOTA BOARD OF
MEDICAL PRACTICE

By: 

AFFIDAVIT OF SERVICE BY U.S. MAIL

**Re: In the Matter of the Medical License of William G. Nelson, M.D.
License No.: 32,416**

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

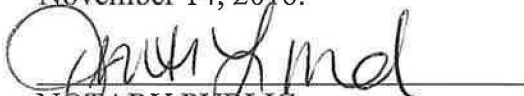
SANDRA SYLVESTER, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on November 14, 2016, she caused to be served the attached STIPULATION AND ORDER, by depositing the same in the United States mail at said city and state, a true and correct copy thereof, properly enveloped with prepaid first class postage, and addressed to:

James P. Michels, Esq.
Rice, Michels & Walther, LLP
206 East Bridge – Riverplace
10 Second Street Northeast
Minneapolis, MN 55413


SANDRA SYLVESTER

Subscribed and sworn to before me on
November 14, 2016.


NOTARY PUBLIC

