



BOARD OF NURSING

Room 121A, 1400 East Washington Avenue, Madison
Contact: Dan Williams (608) 266-2112
December 10, 2015

Notice: The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of actions and deliberation of the Board.

9:00 A.M.

AGENDA

CALL TO ORDER – ROLL CALL – OPEN SESSION

- A. Adoption of the Agenda (1-3)**
- B. Approval of the Minutes of November 12, 2015 (4-9)**
- C. Administrative Matters – Discussion and Consideration**
 - 1) Staff Updates
 - 2) Board Member – Term Expiration Date
 - a. Paul Abegglen – 7/1/2019
 - b. Jodi Johnson – 7/1/2019
 - c. Maria Joseph – 7/1/2013
 - d. Sheryl Krause – 7/1/ 2018
 - e. Jeffrey Miller – 7/1/2016
 - f. Peter Kallio – 7/1/ 2018
 - g. Lillian Nolan – 7/1/2019
 - h. Luann Skarlupka – 7/1/2017
 - i. Cheryl Streeter – 7/1/2017
- D. Legislative and Administrative Rule Matters – Discussion and Consideration**
 - 1) Update on Legislation and Pending or Possible Rulemaking Projects
- E. Education and Examination Matters– Discussion and Consideration**
- F. Discussion and Consideration of Items Received After Preparation of the Agenda**
 - 1) Introductions, Announcements, and Recognition
 - 2) Election of Board Officers
 - 3) Appointment of Board Liaison(s)
 - 4) Informational Item(s)
 - 5) Division of Legal Services and Compliance Matters
 - 6) Education and Examination Matters
 - 7) Credentialing Matters
 - 8) Practice Matters
 - 9) Legislation / Administrative Rule Matters

- 10) Liaison Report(s)
- 11) Presentations of Petition(s) for Summary Suspension
- 12) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
- 13) Presentation of Final Decision and Order(s)
- 14) Speaking Engagement(s), Travel, or Public Relations Request(s)

G. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

H. **Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

1) **Monitoring (10-102)**

- a. Sally Blackburn, R.N. – Requesting Full Licensure **(11-36)**
- b. Vyacheslav Dubrovsky, R.N. – Requesting Full Licensure**(37-64)**
- c. Margaret Grevstad, R.N. – Requesting Full Licensure**(65-78)**
- d. Brian Reynolds, R.N. – Requesting Modifications **(79-102)**

2) **Attorney Amanda Florek**

a. *Proposed Stipulations, Final Decisions and Orders*

1. 14 NUR 625 (A.J.O.) **(103-114)**
2. 15 NUR 211 (N.A.E.) **(115-121)**
3. 15 NUR 268 (J.C.S.) **(122-130)**
4. 15 NUR 318 (D.F.W.) **(131-140)**
5. 15 NUR 320 (A.R.C.) **(141-150)**
6. 15 NUR 339 (K.C.) **(151-156)**
7. 15 NUR 434 (C.J.L.) **(157-162)**

3) **Attorney Kim Kluck**

a. *Administrative Warnings*

1. 14 NUR 658 (J.L.L.) **(163-164)**
2. 14 NUR 706 (E.S.P.) **(165-166)**
3. 15 NUR 393 (P.T.Z.) **(167-168)**
4. 15 NUR 405 (S.J.D.) **(169-170)**
5. 15 NUR 520 (S.M.H.) **(171-172)**

b. *Proposed Stipulations, Final Decisions and Orders*

1. 15 NUR 308 (A.M.S.) **(173-178)**
2. 15 NUR 498 (L.R.M.) **(179-184)**
3. 15 NUR 502 (L.D.F.) **(185-192)**

4) **Case Closures**

I. **Deliberation on Proposed Final Decision(s) and Order(s)**

- 1) Shawna J. Ruff, R.N., Respondent (DHA case # SPS-15-0050)(DLSC case # 13 NUR 675) **(193-204)**

- J. **Deliberation on Order(s) Fixing Costs in the Matter of Disciplinary Proceedings Against:**
- 1) Nicole A. Hunt, R.N., Respondent (ORDER0004125)(DHA case # SPS-15-0064)(DLSC case # 15 NUR 276) **(205-211)**
 - 2) Kim M. Lippold, L.P.N., Respondent (ORDER0004281)(DHA case # SPS-15-0031)(DLSC case # 14 NUR 524) **(212-219)**
 - 3) Deborah J. Mishler, L.P.N., Respondent (ORDER0002531) (DHA Case # SPS-13-0031)(DLSC Case # 12 NUR 020) **(220-231)**

K. **Deliberation on Credentialing Matters (232-275)**

- 1) Matthew Staudinger – Conviction Review

L. Deliberation of Items Received After Preparation of the Agenda

- 1) Professional Assistance Procedure (PAP) Matters
- 2) Division of Legal Services and Compliance Matters
- 3) Monitoring Matters
- 4) Credentialing Matters
- 5) Education and Examination Matters
- 6) Administrative Warnings
- 7) Review of Administrative Warnings
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Final Decisions and Orders
- 10) Orders Fixing Costs/Matters Related to Costs
- 11) Petitions for Summary Suspension
- 12) Petitions for Designation of Hearing Examiner
- 13) Petitions for Re-hearings
- 14) Appearances from Requests Received or Renewed
- 15) Motions

M. Consult with Legal Counsel

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Voting on Items Considered or Deliberated on in Closed Session, If Voting is Appropriate

N. **Board Meeting Process (Time Allocation, Agenda Items) – Discussion and Consideration**

- 1) **Newsletter**

O. Board Strategic Planning and its Mission, Vision, and Values – Discussion and Consideration

ADJOURNMENT

The next scheduled meeting is January 14, 2016.

**BOARD OF NURSING
MEETING MINUTES
NOVEMBER 12, 2015**

PRESENT: Paul Abegglen, Jodi Johnson, Maria Joseph, Peter Kallio (*was excused from the meeting at 10:32 a.m.*), Sheryl Krause, Jeffrey Miller, Lillian Nolan, Luann Skarlupka, Cheryl Streeter

STAFF: Dan Williams, Executive Director; Nilajah Hardin, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Jeffrey Miller called the meeting to order at 8:00 a.m. A quorum of nine (9) members was confirmed.

ADOPTION OF THE AGENDA

Amendments to the Agenda

- *Under Item H. 1) Monitoring: remove item “e. Margaret Grevstad, R.N. – Requesting Full Licensure*
- *Under Item H. 2) b. Proposed Stipulations, Final Decisions, and Orders: remove item “9. 15 NUR 434 (D.L.H.)”*

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF OCTOBER 8, 2015

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to approve the minutes of October 8, 2015 as published. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

Americare School of Nursing – Authorization to Admit Students to a Nursing School

MOTION: Luann Skarlupka moved, seconded by Maria Joseph, to deny the request of Americare School of Nursing to admit students to a Nursing School. **Reason for denial:** Incomplete application. Motion carried unanimously.

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to request that a representative from Americare School of Nursing to appear at a future Board meeting when their application is completed. Motion carried unanimously.

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS

N 8 Relating to Advanced Practice Nurse Prescribers

MOTION: Peter Kallio moved, seconded by Sheryl Krause, to authorize the Chair to approve the preliminary rule draft of N 8 Relating to Advanced Practice Nurse Prescribers for posting of economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

CLOSED SESSION

MOTION: Maria Joseph moved, seconded by Luann Skarlupka, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). Jeffrey Miller, Chair, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Paul Abegglen-yes; Jodi Johnson-yes; Maria Joseph-yes; Peter Kallio-yes; Sheryl Krause-yes; Jeffrey Miller-yes; Lillian Nolan-yes; Luann Skarlupka-yes; and Cheryl Streeter-yes. Motion carried unanimously.

At this time, all external communication contacts will be terminated for purposes of going into Closed session.

The Board convened into Closed Session at 8:52 a.m.

RECONVENE TO OPEN SESSION

MOTION: Paul Abegglen moved, seconded by Maria Joseph, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:02 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Paul Abegglen moved, seconded by Cheryl Streeter, to affirm all motions made in closed session. Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Attorney Amanda Florek

Administrative Warnings

15 NUR 282 – K.L.J.

MOTION: Cheryl Streeter moved, seconded by Jodi Johnson, to issue an Administrative Warning in the matter of 15 NUR 282 (K.L.J.). Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

MOTION: Cheryl Streeter moved, seconded by Jodi Johnson, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 14 NUR 482 (M.J.F.)
2. 14 NUR 630 (J.A.I.)
3. 14 NUR 721 (S.C.M.)
4. 15 NUR 216 (C.J.M.)
5. 15 NUR 312 (K.L.J.)
6. 15 NUR 359 (M.E.R.)
7. 15 NUR 380 (K.A.U.)
8. 15 NUR 419 (J.M.B.)

9. 15 NUR 441 (J.R.B.)
 10. 15 NUR 474 (B.J.L.)
- Motion carried unanimously.

DLSC Attorney Kim Kluck

Proposed Stipulations, Final Decisions and Orders

MOTION: Cheryl Streeter moved, seconded by Paul Abegglen, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 14 NUR 131 (L.R.J.)
2. 14 NUR 165 (P.J.S.)
3. 14 NUR 451 (B.L.L.)
4. 14 NUR 653 (L.S.B.)
5. 14 NUR 680 (J.M.D.)
6. 15 NUR 280 (N.K.I.)
7. 15 NUR 417 (S.J.B.)
8. 15 NUR 425 (P.L.S.)

Motion carried unanimously.

MOTION: Paul Abegglen moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Karen L. Burr, R.N., A.P.N.P., C.N.M., DLSC case number 14 NUR 443. Motion carried unanimously.

Monitoring

APPEARANCE - Melissa Owens – Requesting Stay of Suspension

MOTION: Jodi Johnson moved, seconded by Peter Kallio, to deny the request of Melissa Owens for a stay of suspension of her License. **Reason for Denial:** Applicant must comply with the terms of the Order (10/08/2015). Motion carried unanimously.

Peter Kallio was excused from the meeting at 10:32 a.m.

APPEARANCE – Gold Omereonye, R.N. – Requesting Full Licensure

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to deny the request of Gold Omereonye, R.N. for full licensure. **Reason for Denial:** Insufficient time of compliance under the terms of the Order (07/21/2011). The respondent shall abide by the terms of this Order. The Board requests that the respondent submit quarterly work reports for an additional period of six months that are satisfactory to the Board. Motion carried unanimously.

Renee Bender, R.N. – Requesting Modifications (Drug Screens and Other)

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to grant the request of Renee Bender, R.N. for a reduction in drug screens to 36 per year and one annual hair. Motion carried unanimously.

Sally Blackbourn, R.N. – Requesting Full Licensure

MOTION: Luann Skarlupka moved, seconded by Paul Abegglen, to table the request of Sally Blackbourn, R.N. for full licensure pending receipt of additional information. Motion carried unanimously.

Kelly Hagman, R.N. – Reduction in Screens, Reduction in AA/NA Meetings, and Access to Controlled Substances

MOTION: Cheryl Streeter moved, seconded by Paul Abegglen, to **grant** the request of Kelly Hagman, R.N. for a reduction in drug screens to 14 per year and one annual hair while respondent is not working as a Nurse. The Board reserves the right to increase drug, alcohol, and hair testing once the respondent obtains employment as a Nurse. The Board also grants a reduction in AA/NA meetings to once per week. The Board **denies** the request of Kelly Hagman, R.N. for access to controlled substances. **Reason for Denial:** Applicant needs to practice nursing under the current conditions of the Board Order (09/13/2012). Motion carried unanimously.

Nicole Holton, R.N. – Requesting Full Licensure

MOTION: Jodi Johnson moved, seconded by Maria Joseph, to grant the request of Nicole Holton, R.N. for full licensure. Motion carried unanimously.

Anita Jones. – Requesting Stay of Suspension and Reinstatement of Full Licensure

MOTION: Paul Abegglen moved, seconded by Maria Joseph, to **grant** the request a stay of the suspension of Anita Jones' Registered Nurse License. The Board **denies** the request of Anita Jones for full licensure. **Reason for Denial:** The respondent must work under the original terms of the Board Order (01/27/2005). Motion carried. Recused: Jeffrey Miller

(Jeffrey Miller recused himself and left the room for deliberation and voting in the matter of Anita Jones.)

Nancy Ogden, R.N. – Request from Employer to Modify Order

MOTION: Luann Skarlupka moved, seconded by Cheryl Streeter, to table the request of Society Assets, Inc. on behalf of Nancy Ogden, R.N. for termination of direct supervision. Motion carried unanimously.

Judy Story, R.N. – Requesting Reduction in Screens

MOTION: Sheryl Krause moved, seconded by Paul Abegglen, to deny the request of Judy Story, R.N. for a reduction in Drug Screens. **Reason for Denial:** Failure to demonstrate continuous and successful compliance. Respondent needs to fully comply with the complete terms and conditions of the original Board Order (04/10/2014). Motion carried unanimously.

Tiffany Terry, L.P.N. – Requesting Full Licensure

MOTION: Paul Abegglen moved, seconded by Cheryl Streeter, to deny the request of Tiffany Terry, L.P.N. for full licensure. **Reason for Denial:** Failure to demonstrate continuous and successful compliance under the terms of the Board Order (08/09/2010). The respondent needs to submit quarterly work reports for a period of one year. Motion carried unanimously.

Rachel Weese, R.N. – Requesting Modification (Drug Screens)

MOTION: Cheryl Streeter moved, seconded by Luann Skarlupka, to deny the request of Rachel Weese, R.N. for a reduction in drug screens and full licensure. **Reason for Denial:** Failure to demonstrate continuous and successful compliance. Respondent needs to fully comply with the complete terms and conditions of the original Board Order (11/13/2014). Motion carried unanimously.

Case Closures

MOTION: Paul Abegglen moved, seconded by Jodi Johnson, to close the DLSC cases for the reasons outlined below:

1. 15 NUR 322 – Insufficient Evidence
 2. 15 NUR 420 – Prosecutorial Discretion (P2)
 3. 15 NUR 508 – No Violation
 4. 14 NUR 609 – Prosecutorial Discretion (P3)
 5. 15 NUR 174 – No Violation
 6. 15 NUR 152 – Insufficient Evidence
 7. 15 NUR 296 – Prosecutorial Discretion (P2)
 8. 15 NUR 413 – Prosecutorial Discretion (P7)
 9. 15 NUR 267 – Prosecutorial Discretion (P2)
 10. 15 NUR 501 – No Violation
 11. 15 NUR 553 – Prosecutorial Discretion (P2)
 12. 15 NUR 488 – Insufficient Evidence
 13. 14 NUR 513 – Prosecutorial Discretion (P3)
 14. 14 NUR 383 (A.G.) – Prosecutorial Discretion (P2)
 15. 15 NUR 178 – Prosecutorial Discretion (P5-Flag)
- Motion carried unanimously.

DELIBERATION OF CREDENTIALING MATTERS

Stephanie Myhrvold – Discipline and Termination Review

MOTION: Lillian Nolan moved, seconded by Paul Abegglen, to deny the Registered Nurse application of Stephanie Myhrvold. **Reason for Denial:** Denial of full licensure per Wis. Stat. § 441.07(1g) and Wis. Admin. Code §N 7.03(1)(b). Motion carried unanimously.

ORDER(S) FIXING COSTS

MOTION: Cheryl Streeter moved, seconded by Luann Skarlupka, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against:

1. Sabrina C.K.Giles, R.N. (ORDER0003144)(DHA case # SPS-14-0035)(DLSC case # 13 NUR 059 and 14 NUR 079)
2. Rachel Gliszinski, L.P.N. (ORDER0003138)(DHA case # SPS-13-0012)(DLSC case # 12 NUR 509)
3. Diane L. Hiller, R.N. (ORDER0003278)(DHA case # SPS-13-0011)(DLSC case # 12 NUR 019)
4. Trista Ney, R.N. (ORDER0003584)(DHA case # SPS-14-0054)(DLSC case # 14 NUR 039)
5. Kristine Roseki, L.P.N.(ORDER0004220)(DHA case # SPS-15-0016)(DLSC case # 14 NUR 049)
6. Lisa L. Stange, R.N. (ORDER0003544)(DHA case # SPS-14-0026)(DLSC case # 13 NUR 404)
7. Robin Staver, R.N. (ORDER0003723)(DHA case # SPS-14-0039)(DLSC case # 13 NUR 307)

Motion carried unanimously.

ADJOURNMENT

MOTION: Cheryl Streeter moved, seconded by Paul Abegglen, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:14 p.m.