



## **BOARD OF NURSING**

**Room 121A, 1400 East Washington Avenue, Madison**  
**Contact: Dan Williams (608) 266-2112**  
**February 11, 2016**

*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.*

**8:30 A.M.**

### **AGENDA**

#### **CALL TO ORDER – ROLL CALL – OPEN SESSION**

- A. Adoption of the Agenda (1-3)**
- B. Approval of the Minutes of January 14, 2016 (4-14)**
- 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 (*Reappointed, not yet confirmed*)
    - 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. 2016 Board Review of Website Position Statements – Discussion and Consideration (15-21)**
- F. Education and Examination Matters– Discussion and Consideration**
- G. Speaking Engagement(s), Travel, or Public Relations Request(s)**
- H. 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)

I. 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.).**

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

- 1) **Attorney Amanda Florek**
  - a. *Administrative Warnings*
    1. 15 NUR 604 (K.L.H.) **(22-23)**
    2. 15 NUR 695 (C.A.W.) **(24-25)**
  - b. *Proposed Stipulations, Final Decisions and Orders*
    1. 14 NUR 383 (R.E.M.) **(26-32)**
    2. 15 NUR 260 (M.L.O.) **(33-38)**
    3. 15 NUR 316 (L.H.) **(39-44)**
- 2) **Attorney Kim Kluck**
  - a. *Administrative Warnings*
    1. 15 NUR 619 (J.M.B.) **(45-46)**
  - b. *Proposed Stipulations, Final Decisions and Orders*
    1. 14 NUR 551 (P.S.C.) **(47-53)**
    2. 15 NUR 234 (D.M.S.) **(54-59)**
    3. 15 NUR 300 (T.L.T.) **(60-65)**
    4. 15 NUR 532 (H.P.G.) **(66-71)**
- 3) **Case Closures**
- 4) **Monitoring (72-168)**
  - a. Melissa Bloechl, R.N. – Review of Mental Health Assessment **(74-84)**
  - b. Heidi Hargis, R.N. – Request for Monitoring Interruption **(85-105)**
  - c. Amanda Kautza, R.N. – Request for Modifications **(106-168)**
  - d. Delores Moyer, R.N. – Request for Full Licensure or Removal of Permanent Limitation

K. Deliberation on Credentialing Matters

- 1) Philip Jacobs – Termination Review **(169-171)**

L. Deliberation on Order(s) Fixing Costs in the Matter of Disciplinary Proceedings Against:

- 1) Shawna J. Ruff, R.N., Respondent (ORDER0004439)(DHA case # SPS-15-0050)(DLSC case # 13 NUR 675) **(172-180)**

M. 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

N. 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

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

- 1) **Newsletter**

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

**ADJOURNMENT**

The next scheduled meeting is March 10, 2016.

**BOARD OF NURSING  
MEETING MINUTES  
JANUARY 14, 2016**

**PRESENT:** Paul Abegglen, Jodi Johnson, Maria Joseph, Peter Kallio, 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 C.1) "Follow-up Discussion and Possible Revision to the December 10, 2015 Draft Text Which Amended N 8, Relating to Advanced Practice Nurse Prescribers": the correct date of the draft text is November 12, 2015*
- *Under Item J.2)b.4. "15 NUR 142 (A.C.S.)": the correct case number is 15 NUR 279 (A.C.S.)*

**MOTION:** Paul Abegglen moved, seconded by Peter Kallio, to adopt the agenda as amended. Motion carried unanimously.

**PUBLIC HEARING ON CLEARINGHOUSE RULE 15-099 RELATING TO RENEWAL,  
REINSTATEMENT AND STANDARDS OF PRACTICE**

**Review and Respond to Clearinghouse Report and Public Hearing Comments**

**MOTION:** Peter Kallio moved, seconded by Luann Skarlupka, to reject Clearinghouse comment number(s) 2(b, d), 5(d, e) and accept all remaining Clearinghouse comments for Clearinghouse Rule 15-099 relating to Renewal, Reinstatement, and Standards of Practice. Motion carried unanimously.

**MOTION:** Sheryl Krause moved, seconded by Luann Skarlupka, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 15-099 relating to Renewal, Reinstatement, and Standards of Practice. Motion carried unanimously.

**LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS**

**Follow-up Discussion and Possible Revision to the November 12, 2015 Draft Text Which Amended N 8, Relating to Advanced Practice Nurse Prescribers**

**MOTION:** Luann Skarlupka 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.

## **EDUCATION AND EXAMINATION MATTERS**

### **Silver Lake College Request for Authorization to Admit Students to a Nursing School**

**MOTION:** Peter Kallio moved, seconded by Sheryl Krause, to acknowledge and thank Brianna Neuser from Silver Lake College for her appearance before the Board. Motion carried unanimously.

**MOTION:** Sheryl Krause moved, seconded by Maria Joseph, to approve the request of Silver Lake College for authorization to admit students to a nursing school. Motion carried unanimously.

### **NCLEX Board Review Registration**

**MOTION:** Lillian Nolan moved, seconded by Maria Joseph, to designate Sheryl Krause and Paul Abegglen to attend the NCLEX Board Review between April 4-22, 2016 and to authorize travel. Motion carried unanimously.

### **APPROVAL OF MINUTES OF DECEMBER 10, 2015**

**MOTION:** Paul Abegglen moved, seconded by Peter Kallio, to approve the minutes of December 10, 2015 as published. Motion carried unanimously.

## **ADMINISTRATIVE MATTERS**

### **Election of Officers**

#### ***Board Chair***

**NOMINATION:** Luann Skarlupka nominated Jeffrey Miller for the Office of Board Chair.

Dan Williams called for nominations three (3) times.

Jeffrey Miller was elected as Chair by unanimous consent.

#### ***Vice Chair***

**NOMINATION:** Peter Kallio nominated Sheryl Krause for the Office of Vice Chair.

Dan Williams called for nominations three (3) times.

Sheryl Krause was elected as Vice Chair by unanimous consent.

#### ***Secretary***

**NOMINATION:** Cheryl Streeter nominated Lillian Nolan for the Office of Secretary.

Dan Williams called for nominations three (3) times.

Lillian Nolan was elected as Secretary by unanimous consent.

<b>2016 ELECTION RESULTS</b>	
<b>Board Chair</b>	Jeffrey Miller
<b>Vice Chair</b>	Sheryl Krause
<b>Secretary</b>	Lillian Nolan

**Appointment of Liaisons**

<b>2016 LIAISON APPOINTMENTS</b>	
<b>Board Practice Liaison(s)</b>	Paul Abegglen <i>Alternate: Sheryl Krause</i>
<b>Board Education Liaison(s)</b>	Sheryl Krause <i>Alternate: Peter Kallio</i>
<b>Professional Assistance Procedure (PAP) Liaison</b>	Jeffrey Miller <i>Alternate: Cheryl Streeter</i>
<b>Monitoring Liaison</b>	Jodi Johnson <i>Alternate: Paul Abegglen</i>
<b>Credentialing Liaison</b>	Paul Abegglen <i>Alternate: Peter Kallio</i>
<b>Legislative Liaison</b>	Jeffrey Miller
<b>Newsletter Liaison</b>	Lillian Nolan
<b>Appointed to Controlled Substances Board as per Wis. Stats. §15.405(5g)</b>	Jeffrey Miller

<b>Department Appointment as per Wis. Stats. §441.50(8)(a)</b>	
<b>Administrator of the Nurse Licensure Compact</b>	Dan Williams

<b>2016 SCREENING PANEL APPOINTMENTS</b>	
<b>February-June 2016</b>	Cheryl Streeter, Luann Skarlupka Paul Abegglen
<b>July 2016- January 2017</b>	Jodi Johnson, Lillian Nolan, Peter Kallio

<b>2016 COMMITTEE MEMBER APPOINTMENTS</b>	
<b>Nursing Legislation and Rules Committee</b>	Peter Kallio, Luann Skarlupka, Jeffrey Miller

**MOTION:** Peter Kallio moved, seconded by Luann Skarlupka, to affirm the Chair’s appointment of liaisons for 2016. Motion carried unanimously.

**Delegation of Authority**

***Delegated Authority for Urgent Matters***

**MOTION:** Jodi Johnson moved, seconded by Luann Skarlupka, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department to act in urgent matters, make appointments to vacant liaison, panel, and committee positions, and to act when knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

### *Delegated Authority for Application Denial Reviews*

**MOTION:** Peter Kallio moved, seconded by Maria Joseph, that the Board counsel or another department attorney is formally authorized to serve as the Board's designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

### *Document Signature Delegation*

**MOTION:** Cheryl Streeter moved, seconded by Luann Skarlupka, to delegate authority to the Chair or chief presiding officer, or longest serving member of the Board, by order of succession, to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair, chief presiding officer, or longest serving member of the Board, has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair, chief presiding officer, or longest serving member of the Board delegates the authority to Executive Director or designee to sign the name of any Board member on documents as necessary and appropriate. Motion carried unanimously.

### *Screening Panel*

**MOTION:** Peter Kallio moved, seconded by Lillian Nolan, to delegate to the attorney assigned to each screening panel the discretion to close cases that clearly do not allege a provable violation of law and therefore do not merit review by the full screening panel. Motion carried unanimously.

### *Credentialing Authority Delegations*

**MOTION:** Luann Skarlupka moved, seconded by Jodi Johnson, to delegate authority to the Credentialing Liaisons to address all issues related to credentialing matters except potential denial decisions should be referred to the full Board for final determination. Motion carried unanimously.

**MOTION:** Peter Kallio moved, seconded by Cheryl Streeter, to delegate credentialing decisions to DSPS Staff involving an applicant who was granted an unrestricted nursing license by the Wisconsin Board of Nursing, is seeking a new credential, and has had no new issues since the previous license was granted. Motion carried unanimously.

**MOTION:** Maria Joseph moved, seconded by Luann Skarlupka, to delegate decision making authority to DSPS staff for licensure purposes relating to:

- 1) A single OWI conviction, but not more than two prior to entering into Nursing School
- 2) Under Age Drinking
- 3) Ordinance or municipal violations prior to entering Nursing School
- 4) Retail theft prior to entering Nursing School
- 5) The granting of a limited license for a Nurse Refresher Course (as long as all other requirements are met) unless there are convictions, prior Board discipline, or impairment issues. Staff can then move forward with the granting of full licensure after verification of successful completion has been received

Motion carried unanimously.

**MOTION:** Peter Kallio moved, seconded by Sheryl Krause, to delegate credentialing authority to DSPS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Board or Board liaison review. Motion carried unanimously.

#### ***Monitoring Delegations***

**MOTION:** Peter Kallio moved, seconded by Luann Skarlupka, to adopt the 'Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor; document as presented. Motion carried unanimously.

**MOTION:** Maria Joseph moved, seconded by Peter Kallio, to delegate to the Monitoring Liaison the authority to provide written authorization pursuant to Wis. Admin. Code § N 9.03(1). Motion carried unanimously.

#### ***Education Delegations***

**MOTION:** Paul Abegglen moved, seconded by Cheryl Streeter, to delegate authority to the Board Education Liaison(s) to address all issues related to education and examinations. Motion carried unanimously.

#### ***Legislative Delegation***

**MOTION:** Luann Skarlupka moved, seconded by Maria Joseph, to delegate authority to the Legislative Liaison(s) to address issues related to legislative matters with approval by the Chair, or Vice Chair. Motion carried unanimously.

#### ***Rules Committee***

**MOTION:** Peter Kallio moved, seconded by Maria Joseph, to grant the Nursing Legislation and Rules Committee the ability to discuss legislative matters and to review and propose rule making language to the full Board. Motion carried unanimously.

**SPEAKING ENGAGEMENT(S), TRAVEL, OR PUBLIC RELATIONS REQUEST(S)**

**2016 National Council of State Boards of Nursing (NCSBN) Midyear Meeting –Discussion and Consideration**

**MOTION:** Maria Joseph moved, seconded by Cheryl Streeter, to designate Luann Skarlupka and Jodi Johnson to attend the National Council of State Boards of Nursing Midyear Meeting on March 14-16, 2016 in Baltimore, MD and to authorize travel. Motion carried unanimously.

**Wisconsin Nurses Association (WNA) Request for a Board Member to Present – Discussion and Consideration**

**MOTION:** Maria Joseph moved, seconded by Paul Abegglen, to designate Jeffrey Miller and Sheryl Krause to speak on the Board’s behalf at the WNA’s Annual Nurse’s Day at the Capitol on March 8, 2016 in Madison, WI regarding the Board of Nursing’s role, responsibility, and latest activities. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Maria Joseph moved, seconded by Peter Kallio, 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.

The Board convened into Closed Session at 10:53 a.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Paul Abegglen moved, seconded by Cheryl Streeter, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 1:16 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 589 – K.M.W.***

**MOTION:** Peter Kallio moved, seconded by Lillian Nolan, to issue an Administrative Warning in the matter of 15 NUR 589 (K.M.W.). Motion carried unanimously.

***Proposed Stipulations, Final Decisions and Orders***

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

1. 15 NUR 256 (K.A.S.)
2. 15 NUR 315 (A.A.T.)
3. 15 NUR 426 (M.J.S.)
4. 15 NUR 434 (D.L.H.)
5. 15 NUR 437 (C.C.W.)
6. 15 NUR 444 (K.A.H.)
7. 15 NUR 461 (M.L.L.)

Motion carried unanimously.

***15 NUR 273 – J.L.Z.***

**MOTION:** Lillian Nolan moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Jamie L. Zwicky, R.N., DLSC case number 15 NUR 273. Motion carried. Recused: Sheryl Krause

*(Sheryl Krause recused herself and left the room for deliberation, and voting in the matter concerning Jamie L. Zwicky, R.N., DLSC case number 15 NUR 273.)*

**DLSC Attorney Kim Kluck**

***Administrative Warnings***

***15 NUR 187 – D.M.J.***

**MOTION:** Luann Skarlupka moved, seconded by Paul Abegglen, to table the Administrative Warning in the matter of 15 NUR 187 (D.M.J.). Motion carried unanimously.

***15 NUR 363 – K.L.C.***

**MOTION:** Peter Kallio moved, seconded by Paul Abegglen, to issue an Administrative Warning in the matter of 15 NUR 363 (K.L.C.). Motion carried unanimously.

***Proposed Stipulations, Final Decisions and Orders***

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

1. 13 NUR 714 (G.G.)
2. 14 NUR 572 (S.K.E.)
3. 15 NUR 142 (R.M.F.)
4. 15 NUR 279 (A.C.S.)
5. 15 NUR 528 (P.A.M.)

Motion carried unanimously.

**Case Closures**

**MOTION:** Paul Abegglen moved, seconded by Cheryl Streeter, to close the DLSC cases for the reasons outlined below:

1. 15 NUR 398 – Prosecutorial Discretion (P7)
2. 15 NUR 637 – Insufficient Evidence
3. 14 NUR 435 - Insufficient Evidence
4. 15 NUR 516 - Insufficient Evidence
5. 15 NUR 470 - Prosecutorial Discretion (P7)
6. 15 NUR 660 – Prosecutorial Discretion (P3)
7. 15 NUR 335 – No Violation
8. 14 NUR 590 – Insufficient Evidence
9. 15 NUR 577 (S.A.K.) – Prosecutorial Discretion (P2)
10. 15 NUR 440 – Prosecutorial Discretion (P3)
11. 15 NUR 370 – Prosecutorial Discretion (P6)

Motion carried unanimously.

**Monitoring**

***Christine Bohl, R.N. – Requesting Full Licensure or Modifications***

**MOTION:** Cheryl Streeter moved, seconded by Peter Kallio, to deny the request of Christine Bohl, R.N. for full licensure, a reduction in drug screens, a reduction in AA/NA meetings, termination of her AA/NA attendance log, termination of direct supervision, the ability to work in a pool or agency setting, the ability to work in a home health or hospice setting, and termination of preapproval of work settings. **Reason for Denial:** Failure to demonstrate continuous and successful compliance. Respondent needs to fully comply with the complete terms and conditions of the Limited License Order (11/17/2014). Motion carried unanimously.

***Laura Feichtner, R.N. – Requesting Full Licensure***

**MOTION:** Lillian Nolan moved, seconded by Maria Joseph, to grant the request of Laura Feichtner, R.N. for full licensure. Motion carried unanimously.

***Jill Gustafson, R.N. – Requesting Full Licensure***

**MOTION:** Sheryl Krause moved, seconded by Peter Kallio, to grant the request of Jill Gustafson, R.N. for full licensure. Motion carried unanimously.

***Julie Harley, L.P.N. – Requesting Reduction in Drug and Alcohol Screens***

**MOTION:** Luann Skarlupka moved, seconded by Jodi Johnson, to deny the request of Julie Harley, L.P.N. for a reduction in drug and alcohol screens. **Reason for Denial:** Failure to demonstrate continuous and successful compliance (missed tests and check-ins). Respondent needs to fully comply with the complete terms and conditions of the original Board Order (12/19/2013). Motion carried unanimously.

***Brenda Pittman, R.N. – Requesting Reduction in Drug Screens and Termination of Direct Supervision***

**MOTION:** Sheryl Krause moved, seconded by Peter Kallio, to grant the request of Brenda Pittman, R.N. for a reduction in drug screens to 36 per year. The Board denies the request of Brenda Pittman, R.N. for termination of direct supervision. **Reason for Denial:** The Board requires further successful compliance with the terms of the Board Order (09/11/2014) before the Board will consider termination of direct supervision. Motion carried unanimously.

***Joan Swope, R.N. – Requesting Reduction in Drug Screens, Treatment Sessions, and AA/NA Meetings***

**MOTION:** Peter Kallio moved, seconded by Jodi Johnson, to grant the request of Joan Swope, R.N., R.N. for a reduction in drug screens to 36 per year. The Board denies the request of Joan Swope, R.N. for a reduction in AA/NA meetings. **Reason for Denial:** Respondent needs to further practice nursing under the current conditions of the Board Order (06/13/2013) before the Board will consider amending other requirements. Motion carried unanimously.

**CREDENTIALING MATTERS**

**Shannon Johns – Conviction Review**

**MOTION:** Peter Kallio moved, seconded by Sheryl Krause, to approve the Registered Nurse application of Shannon Johns, once all requirements are met. Motion carried unanimously.

## ORDER(S) FIXING COSTS

### Tracy Watson, L.P.N., Respondent (ORDER00003221)(DHA case # SPS-14-0003)(DLSC case # 12 NUR 174)

**MOTION:** Luann Skarlupka moved, seconded by Paul Abegglen, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Tracy Watson, L.P.N., Respondent (ORDER00003221)(DHA case # SPS-14-0003)(DLSC case # 12 NUR 174). Motion carried unanimously.

### ADJOURNMENT

**MOTION:** Paul Abegglen moved, seconded by Peter Kallio, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:32 p.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Dan Williams</b>		2) Date When Request Submitted:  Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
3) Name of Board, Committee, Council, Sections:  <b>Wisconsin Board of Nursing</b>			
4) Meeting Date:	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page?  <b>2016 Board review of website Position Statements_Discussion and Consideration</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing?  <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:  N/A	
10) Describe the issue and action that should be addressed:  <p>In 2016 the Board will review the Position statements that are currently on the Board webpage and determine whether to revise what is there and/or create new statements as necessary.</p> <p><a href="http://dsps.wi.gov/Documents/Board%20Services/Position%20Statements/Nursing/Board%20of%20Nursing.pdf">http://dsps.wi.gov/Documents/Board%20Services/Position%20Statements/Nursing/Board%20of%20Nursing.pdf</a></p>			

## BON POSITION STATEMENTS

### **4. HOW DO I KNOW IF A GIVEN FUNCTION IS WITHIN MY SCOPE OF PRACTICE AS AN RN/LPN?**

The Wisconsin Board of Nursing does not publish or maintain a “task” or procedure list regarding scope of practice. The standards of practice can be found in Ch N6, Wis. Admin. Code. If a procedure generally falls within the definitions of a nursing act and the nurse has the required education, training or experience to perform the procedure, it may be deemed appropriate within their scope of practice to perform. You may also find it useful to consult the Scope of Practice Decision Tree: Guidelines for RN and LPN Practice as well as other professional resources and organizations.

**Revised: 9/12/2013**

**Wisconsin Board of Nursing**  
Scope of Practice

**Scope of Practice Decision Tree:**  
**Guidelines for R.N. and L.P.N. Practice**

**Statement of Purpose**

The Wisconsin Board of Nursing receives many inquiries regarding the scope of practice of licensed nurses. Frequently, these questions involve whether a specific task or procedure is permitted under the nurse's level of licensure. Some questions involve the use of specific medical equipment, medications, health care procedures and business models. The practice of nursing is a dynamic profession which evolves continually in response to scientific and technical advancements in the health field, increases in nursing education and training, and in response to patient health care needs. Due to these rapid changes, it is not feasible to maintain an up-to-date "task list" for a nurse's scope of practice. Nor is feasible for the Board or the Department of Safety & Professional Services staff to respond individually to the extensive volume of practice questions submitted. Accordingly, this "Scope of Practice Decision Tree" is offered as an analytical tool to assist nurses and other interested persons in determining whether or not an activity or action is within the scope of a nurse's professional license.<sup>1</sup>

The Decision Tree is organized into the following three parts.

**Part I: The Legal Framework**

[Chapter 441: Board of Nursing](#)

All nurses share a common base of responsibility and accountability defined as the practice of nursing and consistent with their level of licensure. The parameters of the scope of practice for an R.N. or an L.P.N. derives from the statutory authority for licensure in Chapter 441 of the Wisconsin Statutes, commonly referred to as the Nurse Practice Act. The first subchapter of this statute, *Regulation of Nursing*, sets forth the requisites of examination and licensure for registered nurses, licensed practical nurses, nurse midwives and advance practice nurse prescribers. The second chapter, *Nurse Licensure Compact*, sets forth the requirements for multi-state practice privileges of nurses who are licensed in states which are members of an interstate compact which allows a nurse to practice in another compact state under the license issued by the nurses' home state.

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<sup>1</sup> **DISCLAIMER:** The guidelines contained in this decision tree do not constitute specific legal opinions which bind the Board of Nursing or the Department of Safety and Professional Services. The guidelines are intended to be general in nature and are offered as a "self-help" tool for members of the nursing profession to analyze their scope of practice questions. Nursing conduct must always be in conformity with the state and federal law and regulations. Licensees and interested persons are encouraged to consult with their own attorney regarding the laws governing their profession and their own individual circumstances.

# Wisconsin Board of Nursing

## Scope of Practice

### [Chapter N6: Standards of Practice for Registered Nurses and Licensed Practical Nurses](#)

The scope of practice is further defined in Chapter N6 of the Wisconsin Administrative Code which specifies the *minimum* practice standards for an R.N. and L.P.N. in terms of general nursing procedures; assessment, planning, intervention and evaluation. In addition, the rules address the performance of delegated medical acts, supervision and direction of delegated nursing acts, and the performance of acts in basic and complex patient situations. The core concept in determining scope of practice is whether the activity is commensurate with the nurse's level of educational preparation, training and professional experience. Within that concept, however, the individual scope of practice for each nurse may vary. Also, each nurse may effectively change his or her *individual scope of practice* throughout their career through in-service education, continuing education and practice experience. Documentation is always required to verify how a new or expanded scope of practice is acquired and how minimal competency is maintained to support that practice.

Although the licensed nurse is accountable, both professionally and legally, for determining his or her *individual* scope of nursing practice, the nurse's activities must still fall within the broader scope authorized by law. Thus, a nurse may not perform activities which exceed the scope defined by their individual level of licensure. Practically this means that a nurse's scope of practice cannot be expanded by someone who directs a nurse to perform an activity not recognized by the profession as appropriate for that level of licensure or prohibited by law. For example, the area of prescriptive authority and advance practice requires completion of formal advance nursing degree, passage of national examinations and certification by a recognized certifying body; in other words, a nurse cannot exercise advance practice authority without satisfying these requirements regardless of his or her personal experience or interest in expanding her scope of practice

### **Part II: Use of Decision Tree for R.N. and L.P.N. Scope of Practice**

*In effort to assist in obtaining an answer or guidance regarding a scope of practice question, in lieu of, or prior to contacting the Wisconsin Board of Nursing or Department staff, please use the prompts outlined in this Decision Tree. Remember to follow the key steps summarized below:*

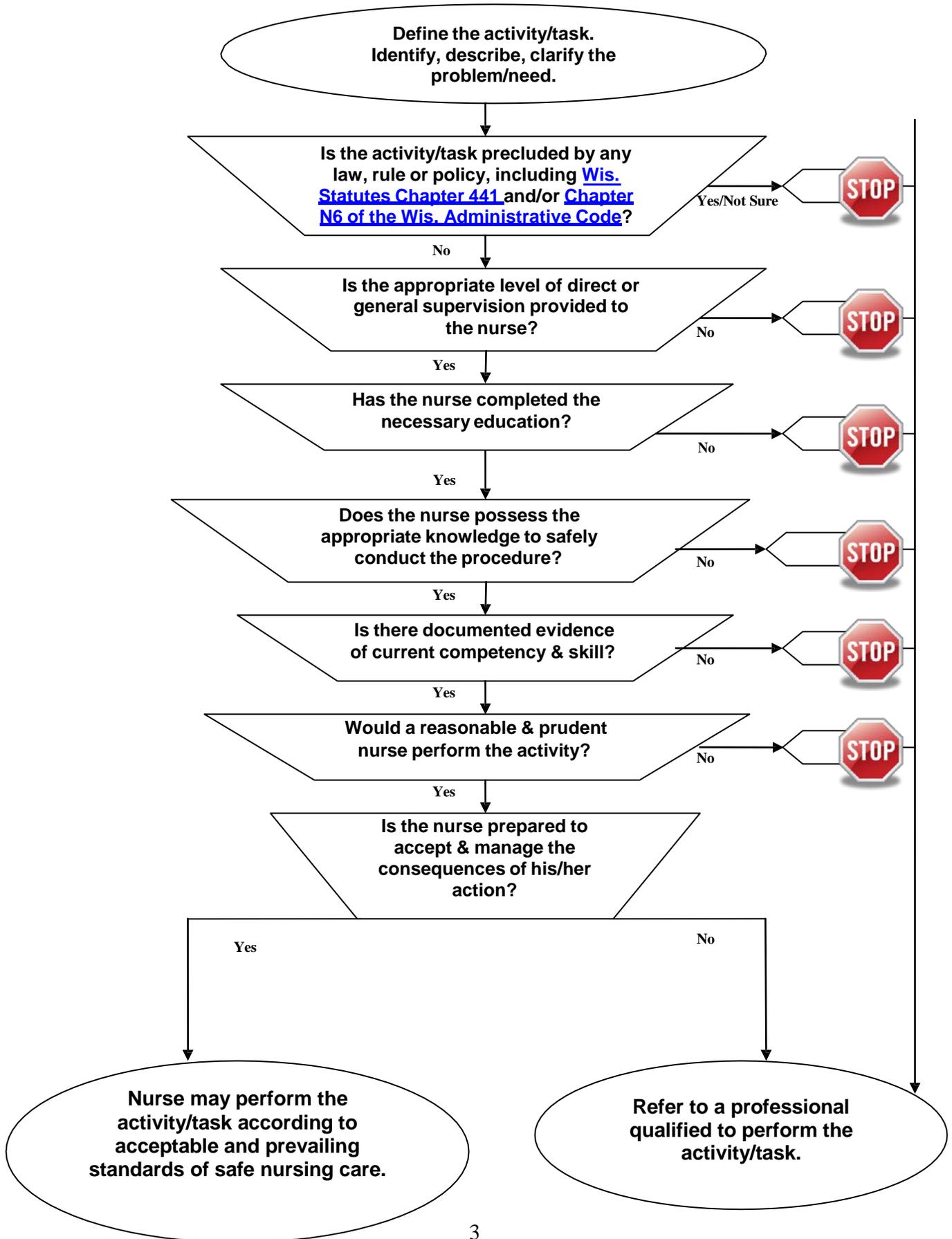
**First, review statutes and rules.**

**Second, apply your scenario to the decision tree.**

**Third, seek additional resources, if necessary.**

# Wisconsin Board of Nursing

## Scope of Practice



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**Part III: Alternate Resources for R.N. and L.P.N. Practice**

**Position Statements**

The Wisconsin Board of Nursing is authorized by Wisconsin Statutes Chapter 441 to exercise general supervision over the practice of nursing in Wisconsin to include regulation of nursing licensure, education and practice. This is in compliance with the DSPS mission statement and assures that the citizens of Wisconsin receive safe and effective care. The Board of Nursing further interprets statute and rule and issues opinions in the form of Board Policies, Policy Guidelines and Position Statements. Although they do not have the force and effect of law, these opinions are advisory in nature and issued as guidelines for safe nursing practice.

[Wisconsin Department of Safety & Professional Services: Nursing Board 'Position Statements'](#)

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There may be instances when a nurse will need to consider materials, guidelines and standards other than the Wisconsin statutes and regulations to resolve their scope of practice question by asking; “Is this practice consistent with national or regional standards, nursing literature, research, accreditation, and health care funding requirements?” The following is a list of alternate resources which may be useful to clarify whether specific acts are within the nurse’s scope of practice. This list includes professional literature, educational treatises, textbooks, national guidelines, practice recommendations for specialty fields, and resources from professional membership organizations. This list is not exhaustive and further research using internet search sources may yield more resources.

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**National Online References**

[American Nurses Association: Position Statements](#)

[The Center For Nursing Advocacy \(2006\). "Increasing Public Understanding of Nursing."](#)

[National Council of State Boards of Nursing Resources: Publications and Learning Extension Courses](#)

[National Library of Medicine Gateway](#)

[National Student Nurses Association](#)

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**Print References**

*Closing the Gap Between Can and May in Health-Care Providers' Scopes of Practice: A Primer for Policymakers.* Safriet, B J (2002). *Yale Journal on Regulations*, 19:301, 2002

*Scope of Practice Decision Making Model, Practice Corner:* Missouri State Board of Nursing, 9, (2005)

*Decision Making Model,* Arkansas State Board of Nursing Position Statement 98-6

*Increasing Scope of Practice: Critical Questions in Assuring Public Access and Safety.* Federation of State Medical Boards Annual Meeting, (Draft 2004).