

**BOARD OF NURSING  
MEETING MINUTES  
MAY 9, 2013**

**PRESENT:** Rachelle Lancaster, Julie Ellis, Maria Joseph, Lillian Nolan, Carol Ott, Gretchen Lowe, Julia Nelson, Jeffrey Miller

**STAFF:** Dan Williams, Executive Director; Matthew Niehaus, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Julia Nelson, Chair, called the meeting to order at 8:00 a.m. A quorum of eight (8) members was present.

**ADOPTION OF AGENDA**

**Amendments to the Agenda**

- Item “U” (closed session) **ADD** the agenda item titled “U.12: Beverly E. Wolfgram, R.N., A.P.N.P. (10 NUR 290, 11 NUR 274, 11 NUR 603)”
- Item “U” (closed session) **ADD** the agenda item titled “U.13: Carrie L. Voss, R.N., A.P.N.P. (12 NUR 245)”

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to adopt the agenda as amended. Motion carried unanimously.

**REPORT OF EDUCATION AND LICENSURE COMMITTEE**

**BOARD MOTION:** Carol Ott moved for the adoption of the Education and Licensure Committee’s recommendations. The Board adopts by unanimous consent.

**Bryant of Stratton College Response to Report of Board of Nursing Site Survey Conducted on 10-25-2013**

**COMMITTEE MOTION:** Rachelle Lancaster moved, seconded by Julie Ellis, to place Bryant and Stratton College on probationary status. The submitted evidence referencing the response to the Wisconsin Board of Nursing site visit of 10-25-2012, submitted April 5, 2013 does not meet the criteria as described in N1.06(1)(b)3. The Board requests a report by November 1, 2013 to address these concerns. Motion carried unanimously.

**COMMITTEE MOTION:** Rachelle Lancaster moved, seconded by Gretchen Lowe, to have an item on the June agenda to discuss the composition of site visit teams. One of the three nurse educators on the Board is willing to go on the next site visits. Motion carried unanimously.

### **REPORT OF PRACTICE COMMITTEE**

**BOARD MOTION:** Julie Ellis moved for the adoption of the Practice Committee's recommendations. The Board adopts by unanimous consent.

#### **Scope of Practice Decision Tree**

**COMMITTEE MOTION:** Jeffrey Miller moved, seconded by Maria Joseph, to accept the Scope of Practice Decision tree with the removal of the reference to Position Papers, practice FAQ's, and employer standards as well as the reference to "Policies and procedures must be in place to support the activity prior to performance." Motion carried unanimously.

#### **R.N. FAQ 1, 2, 4, and 5**

**COMMITTEE MOTION:** Lillian Nolan moved, seconded by Jeffrey Miller, to pull R.N. FAQ #2 from the website. Motion carried unanimously.

**COMMITTEE MOTION:** Jeffrey Miller moved, seconded by Lillian Nolan, to eliminate R.N. FAQ #4 and R.N. FAQ #5 from the website. Motion carried unanimously.

**COMMITTEE MOTION:** Lillian Nolan moved, seconded by Maria Joseph, to pull R.N. FAQ #1 and refer the topic to the Education and Licensure Committee for inclusion on the website with a description on levels of nursing, if appropriate. Motion carried unanimously.

*Maria Joseph left the meeting at 10:02 a.m.*

### **APPROVAL OF MINUTES OF APRIL 11, 2013**

**MOTION:** Lillian Nolan moved, seconded by Carol Ott, to approve the minutes of April 11, 2013 as published. Motion carried unanimously.

### **ADMINISTRATIVE MATTERS**

**MOTION:** Rachelle Lancaster moved, seconded by Julie Ellis, that DSPS staff create a snapshot list of public orders for the prior month with directions on how to link to those orders for placement on the Nursing Forward website. Motion carried unanimously.

## **LEGISLATIVE/ADMINISTRATIVE RULE MATTERS**

**MOTION:** Rachelle Lancaster moved, seconded by Lillian Nolan, to delegate authority to the Credentialing Liaison to make application decisions for Army health care specialists for qualification to sit for the NCLEX examination. The liaison will coordinate with the department regarding Air Force and Navy health care specialists applications regarding requirements. All Air Force and Navy health care specialists applications will be brought before the full Board for consideration if all other requirements are met. Motion carried unanimously.

**MOTION:** Julie Ellis moved, seconded by Gretchen Lowe, to place review of Executive Order 61 on the June Board of Nursing agenda. Motion carried unanimously.

### **APNP CERTIFICATION**

**MOTION:** Rachelle Lancaster moved, seconded by Carol Ott, to designate Julie Ellis as the Board's representative to write and send a letter to WNA regarding the need for continued certification as a CNS in advanced diabetes management in order to maintain an APNP certificate. Motion carried unanimously.

### **NCSBN ANNUAL MEETING**

**MOTION:** Rachelle Lancaster moved, seconded by Julie Ellis, that Dr. Carol Ott will contact Nancy Specter from NCSBN to request more Board members be permitted to attend the NCSBN annual meeting. Motion carried unanimously.

### **BOARD MEETING PROCESS (TIME ALLOCATION, AGENDA ITEMS)**

**MOTION:** Rachelle Lancaster moved, seconded by Carol Ott, that GoTo Meeting Audio and Video be muted prior to the roll call and when the Board goes to recess and resumed when the Board returns to Open Session. Motion carried unanimously.

**MOTION:** Carol Ott moved, seconded by Rachelle Lancaster, to discontinue recording of Education and Licensure committee meetings. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** Carol Ott moved, seconded by Jeffrey Miller, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Legal Services and Compliance case status reports. Julia Nelson read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Julia Nelson -yes; Rachelle Lancaster-yes; Gretchen Lowe-yes; Julie Ellis-yes; Lillian Nolan-yes; Jeffrey Miller-yes; and Carol Ott-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:48 a.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 3:32 p.m.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**MOTION:** Jeffrey Miller moved, seconded by Rachelle Lancaster, to affirm all motions made in closed session. Motion carried unanimously.

### **MONITORING**

#### **Christine R. Bohl, L.P.N. – Requesting Reinstatement of License**

**MOTION:** Jeffrey Miller moved, seconded by Lillian Nolan, to deny Christine R. Bohl's request for reinstatement of license. **REASON FOR DENIAL:** Lack of AA/NA reporting, lack of work-reports, information of record. Motion carried unanimously.

#### **Elizabeth Forward, R.N. – Requesting Modification of Order**

**MOTION:** Julie Ellis moved, seconded by Lillian Nolan, to grant Elizabeth Forward's request for termination of therapy. The Board denies Elizabeth Forward's request for reduction in the frequency of drug and alcohol screens. **REASON FOR DENIAL:** No therapist recommendation for termination of drug screens. Motion carried unanimously.

#### **Angela Leonard, R.N. – Requesting Modification of Order**

**MOTION:** Rachelle Lancaster moved, seconded by Gretchen Lowe, to deny Angela Leonard's request for removal of the limitation requiring direct supervision. **REASON FOR DENIAL:** The Order requires direct supervision, which is necessary for the duration of the Order. Motion carried unanimously.

#### **Mary E. Lichtenwalner, R.N. – Requesting Reinstatement of License**

**MOTION:** Carol Ott moved, seconded by Rachelle Lancaster, to grant Mary E. Lichtenwalner's request for reinstatement of license. Motion carried unanimously.

**Cheryl Miller, R.N. – Requesting Modification of Order**

**MOTION:** Jeffrey Miller moved, seconded by Carol Ott, to grant Cheryl Miller’s request for reduction in the frequency of AA/NA meetings. The Board denies Cheryl Miller’s request for termination of therapy. **REASON FOR DENIAL:** Lack of recommendation from therapist. Motion carried unanimously.

**Kathleen Preston, L.P.N. – Requesting Modification of Order**

**MOTION:** Lillian Nolan moved, seconded by Gretchen Lowe, to grant Kathleen Preston’s request for termination of therapy and a reduction in the frequency of drug screens to twenty-eight (28) per year with one (1) annual hair test. Motion carried unanimously.

**Ann E. Stanton, R.N. – Requesting Modification of Order**

**MOTION:** Rachelle Lancaster moved, seconded by Jeffrey Miller, to deny Ann E. Stanton’s request for reduction of drug screens or access to controlled substances. **REASON FOR DENIAL:** Failure to comply with Board Order regarding screening. Motion carried unanimously.

**Lisa M. Wickline, R.N. – Requesting Modification of Order**

**MOTION:** Julie Ellis moved, seconded by Gretchen Lowe, to grant Lisa A. Wickline’s request for termination of work site limitations. The Board denies Lisa A. Wickline’s request for decrease or termination of drug and alcohol screens or reinstatement of full licensure. **REASON FOR DENIAL:** Lack of time under Board Order and information of record. Motion carried unanimously.

**ADMINISTRATIVE WARNINGS**

**MOTION:** Rachelle Lancaster moved, seconded by Jeffrey Miller, to issue administrative warnings in the matter of case number 12 NUR 498 and 12 NUR 593. Motion carried unanimously.

**PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

**MOTION:** Julie Ellis moved, seconded by Jeffrey Miller, to adopt the Findings of Fact, Conclusions of Law, and Order in the disciplinary proceedings against Rita A. Jenkins, R.N. (12 NUR 075), Joseph P. Scallon, R.N. (12 NUR 214), Alaina D. Lynch, R.N. (12 NUR 226), Joy Y. Miller, R.N. (12 NUR 469), Angela M. Branum, R.N. (13 NUR 003), Patricia A. Pokallus, R.N. (13 NUR 060), Amy L. Wojtusik, R.N. (13 NUR 076), Laurie J. Allison, L.P.N. (13 NUR 033), Beverly E. Wolfgram, R.N., A.P.N.P. (10 NUR 290, 11 NUR 274, & 11 NUR 603), and Carrie L. Voss, R.N., A.P.N.P. (12 NUR 245). Motion carried unanimously.

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to adopt the Findings of Fact, Conclusions of Law, and Order in the disciplinary proceedings against Connie M. Fox, L.P.N. (12 NUR 271). The Board recognizes that the license expired on April 30, 2013, however the Respondent retains the right to renew the credential. Therefore, the Board accepts the surrender. Motion carried unanimously.

**MOTION:** Jeffrey Miller moved, seconded by Gretchen Lowe, to adopt the Findings of Fact, Conclusions of Law, and Order in the disciplinary proceedings against Bradley T. Sivak, Jr., L.P.N. (12 NUR 505). The Board recognizes that Respondent has timely applied to renew his license, paid the fee, and is considered to hold an active license by the Department of Safety and Professional Services. Motion carried unanimously.

**MOTION:** Jeffrey Miller moved, seconded by Lillian Nolan, to adopt the Findings of Fact, Conclusions of Law, and Order in the disciplinary proceedings against Mark R. Fortman, R.N. (13 NUR 016). The Board refers the case materials in the matter of 13 NUR 016 to the Nursing Home Administrator Examining Board and DHS. Motion carried unanimously.

**PROPOSED STIPULATIONS, FINAL DECISION AND ORDER IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST DIANE ZAKOPYKO, R.N., DHA SPS-12-0076,  
DLSC 11 NUR 370**

**MOTION:** Gretchen Lowe moved, seconded by Carol Ott, to adopt the Findings of Fact, Conclusions of Law, and vary the Order to remove the current recommended limitations on reapplication and insert language to allow the Board to impose appropriate limitations at the time of any reapplication in the disciplinary proceedings against Diane Zakopyko, R.N. (11 NUR 370). Motion carried unanimously.

**MOTION:** Gretchen Lowe moved, seconded by Carol Ott, to designate the Board Chair to approve the variance. Motion carried unanimously.

**ORDER FIXING COSTS**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to issue an Order Fixing Costs in the matter of Jennifer Carlson, R.N., Lisa Friedman, R.N., and Nicole Wilburn, L.P.N. Motion carried unanimously.

**CASE CLOSINGS**

**MOTION:** Jeffrey Miller moved, seconded by Julie Ellis, to close the case #12 NUR 573 for Prosecutorial Discretion (P7). Motion carried unanimously.

**MOTION:** Jeffrey Miller moved, seconded by Julie Ellis, to close the case #12 NUR 619 for Compliance Gained (P2). Motion carried unanimously.

**MOTION:** Carol Ott moved, seconded by Lillian Nolan, to close the case #12 NUR 419 for Insufficient Evidence (IE). Motion carried unanimously.

**MOTION:** Julie Ellis moved, seconded by Carol Ott, to close the case #13 NUR 090 for Insufficient Evidence (IE). Motion carried unanimously.

**MOTION:** Julie Ellis moved, seconded by Rachelle Lancaster, to close the case #12 NUR 612 for Insufficient Evidence (IE). Motion carried unanimously.

### **CREDENTIALING MATTERS**

**MOTION:** Carol Ott moved, seconded by Jeffrey Miller, to delegate to the Credentialing paralegal, with reasonable discretion, credentialing decisions on applications where the applicant has had three OWIs from at least five years before the date of application, with adequate evidence of treatment. Motion carried unanimously.

**MOTION:** Carol Ott moved, seconded by Jeffrey Miller, to delegate credentialing decisions on applications with two OWIs to the Credentialing paralegal with reasonable discretion. Motion carried unanimously.

**MOTION:** Carol Ott moved, seconded by Jeffrey Miller, to delegate authority to the Credentialing Liaison to address all issues related to credentialing matters with the exception of denials during the application process. Motion carried unanimously.

### **Jennifer Dixon – R.N. Endorsement**

**MOTION:** Julie Ellis moved, seconded by Gretchen Lowe, to deny Jennifer Dixon's application for licensure by endorsement. **REASON FOR DENIAL:** The evidence provided fails to establish that Applicant is currently competent, as per Wis. Stats. Section 441.06(1). Motion carried unanimously.

### **Brian Holzhauser – R.N. Examination**

**MOTION:** Julie Ellis moved, seconded by Rachelle Lancaster, to deny Brian Holzhauser's request to sit for the R.N. Examination. **REASON FOR DENIAL:** Convictions substantially related to the practice of nursing. Motion carried unanimously.

### **Ashley Lukens – R.N. Endorsement**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Ashley Lukens' application for licensure once all other conditions are met. Motion carried unanimously.

**David Spannagel – R.N. Endorsement**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant David Spannagel’s application for licensure once all other conditions are met. Motion carried unanimously.

**Lisa Olsen – L.P.N. Endorsement**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Lisa Olsen’s application for licensure once all other conditions are met. Motion carried unanimously.

**Nicole Reder – L.P.N. Endorsement**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Nicole Reder’s application for licensure once all other conditions are met. Motion carried unanimously.

**Deborah Rohrwasser, R.N. Re-Registration**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Deborah Rohrwasser’s application for licensure once all other conditions are met. Motion carried unanimously.

**Beau Ruehlow – R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Beau Ruehlow’s request to sit for the R.N. Examination. Motion carried unanimously.

**Corleen Larson– R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Corleen Larson’s request to sit for the R.N. Examination. Motion carried unanimously.

**Dana Deyoung– R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Dana Deyoung’s request to sit for the R.N. Examination. Motion carried unanimously.

**Dawn Quaderer– R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Dawn Quaderer’s request to sit for the R.N. Examination. Motion carried unanimously.

**Jennifer Dillman – R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Jennifer Dillman’s request to sit for the R.N. Examination. Motion carried unanimously.

**Jessica Wians – R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Jessica Wians’ request to sit for the R.N. Examination. Motion carried unanimously.

**Julien Lee – R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Julien Lee’s request to sit for the R.N. Examination. Motion carried unanimously.

**Keyosha Moore – R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Keyosha Moore’s request to sit for the R.N. Examination. Motion carried unanimously.

**Lindsey Brandenburg – R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Lindsey Brandenburg’s request to sit for the R.N. Examination. Motion carried unanimously.

**Lori Krizan – R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Lori Krizan’s request to sit for the R.N. Examination. Motion carried unanimously.

**Shondel Diegel – R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Shondel Diegel’s request to sit for the R.N. Examination. Motion carried unanimously.

### **Tiffany Gray – R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Tiffany Gray's request to sit for the R.N. Examination. Motion carried unanimously.

**MOTION:** Lillian Nolan moved, seconded by Carol Ott, to adopt the following statement:

The Board recognizes that the following applicants for licensure were inadvertently allowed by DSPS to sit for the NCLEX examination prior to the full Board's consideration of whether each applicant's conviction was substantially related to the practice of nursing. Motion carried unanimously.

The Board now considers each applicant's conviction and makes the following motions:

### **Amber Parr – R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Amber Parr's request to sit for the R.N. Examination. Motion carried unanimously.

### **Jeffrey Leitz – R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Jeffrey Leitz' request to sit for the R.N. Examination. Motion carried unanimously.

### **Jessica Piencikowski – R.N. Examination**

**MOTION:** Jeffrey Miller moved, seconded by Lillian Nolan, to issue an intent to deny the application for licensure in the matter of Jessica Piencikowski unless within 45 days the Applicant provides the Board with an AODA assessment which indicates no current substance abuse from a Board-Approved Masters-prepared counselor or psychologist who specializes in substance abuse evaluation. Motion carried unanimously.

### **Jessie Watermolen – R.N. Examination**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to grant Jessie Watermolen's request to sit for the R.N. Examination. Motion carried unanimously.

**Mark Keller – L.P.N. Examination**

**MOTION:** Julie Ellis moved, seconded by Jeffrey Miller, to deny the application for licensure in the matter of Mark Keller. **REASON FOR DENIAL:** Convictions substantially related to the practice of nursing. Motion carried unanimously.

**Nicole Baker – Review of Intent to Deny for R.N. Examination**

**MOTION:** Lillian Nolan moved, seconded by Carol Ott, that, after consideration of the additional materials submitted pursuant to the intent to deny, the Board grants Nicole Baker's request to sit for the R.N. Examination. Motion carried unanimously.

**Shawn Siebold – Review of Intent to Deny for R.N. Examination**

**MOTION:** Lillian Nolan moved, seconded by Carol Ott, that, after consideration of the additional materials submitted pursuant to the intent to deny, the Board grants Shawn Siebold's request to sit for the R.N. Examination. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Gretchen Lowe moved, seconded by Jeffrey Miller, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 4:10 p.m.