

**BOARD OF NURSING
MEETING MINUTES
JANUARY 9, 2014**

PRESENT: Julia Nelson, Julie Ellis, Jeffrey Miller, Lillian Nolan, Maria Joseph, Sheryl Krause

STAFF: Dan Williams, Executive Director; Matt Guidry, Bureau Assistant; Pamela Stach, Legal Counsel; and other DSPS Staff

CALL TO ORDER

The chair called the meeting to order at 8:08 a.m. A quorum of six (6) members was confirmed.

ADOPTION OF AGENDA

- **Item Add** “O.12a Nicole A. Sprague” (Closed Session) of the agenda.

MOTION: Maria Joseph moved, seconded by Jeffrey Miller, to adopt the agenda as amended. Motion carried unanimously.

APPEARANCE – MICHAEL MILLER, M.D. – ADDICTION SPECIALIST

MOTION: Jeffrey Miller moved, seconded by Julie Ellis, to acknowledge the appearance and presentation of Michael M. Miller, MD, FASAM, FAPA, and thanking him for his presentation on addiction. Motion carried unanimously.

The Board informally attends the Legislation and Rules Committee.

LEGISLATION AND RULES COMMITTEE

**BOARD OF NURSING
MEETING MINUTES**

January 9, 2014

PRESENT: Jeffrey Miller, Lillian Nolan

STAFF: Sharon Henes, Rules Coordinator; Matt Guidry, Bureau Assistant; Other
Department Staff

CALL TO ORDER

The chair called the meeting to order at 8:58 a.m. A quorum of two (2) members was confirmed.

ADOPTION OF AGENDA

MOTION: Lillian Nolan, seconded by Jeffrey Miller, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF LEGISLATION AND RULES COMMITTEE
MINUTES OF DECEMBER 19, 2013**

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to approve the minutes of December 19, 2013 as published. Motion carried unanimously.

**PUBLIC HEARING AND CLEARINGHOUSE COMMENTS
AMENDING N 7**

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to reject Clearinghouse comments 5e, 5g, 5q, 5r, 5t, 5u, 5x, and accept all other Clearinghouse recommendations for CR13-097 relating to unprofessional conduct. To accept amendments to the draft from the Legislation and Rules Committee held on January 6, 2014 and January 9, 2014. Motion carried unanimously.

MOTION Lillian Nolan moved, seconded by Jeffrey Miller, to recommend to the Board that they authorize Jeffrey Miller to approve the Legislative Report and Draft for Clearinghouse Rule (13-097) revising N 7 relating to unprofessional conduct for submission to the Governor's Office and Legislature. Motion carried unanimously.

2014 RULE MAKING PROJECTS

MOTION Lillian Nolan, seconded by Jeffrey Miller, to recommend that the Board request DSPS staff to draft three Scope Statements revising N5, N6, N8 relating to Renewal, Scope of Practice, and Advanced Practice Nurse Prescribers. Motion carried unanimously.

ADJOURNMENT

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to adjourn the Legislative and Rules Committee meeting. Motion carried unanimously.

The meeting adjourned at 9:49 a.m.

The Board of Nursing meeting resumes.

REPORT OF LEGISLATION AND RULES COMMITTEE

MOTION: Jeffrey Miller moves to adopt the Legislation and Rules Committee's recommendations. The Board adopts by unanimous consent.

APPROVAL OF MINUTES OF DECEMBER 19, 2013

MOTION: Lillian Nolan moved, seconded by Julie Ellis, to approve the minutes of December 19, 2013 as published. Motion carried unanimously.

ELECTION OF OFFICERS

CHAIR

NOMINATION: Jeffrey Miller nominated Julia Nelson for the Office of Chair.

Executive Director Dan Williams called for nominations three (3) times.

Julia Nelson was elected as Chair.

VICE CHAIR

NOMINATION: Julie Ellis nominated Lillian Nolan for the Office of Vice Chair.

NOMINATION: Julia Nelson nominated Jeffrey Miller for the Office of Vice Chair.

Executive Director Dan Williams called for nominations three (3) times.

Jeffrey Miller was elected as Vice Chair.

SECRETARY

NOMINATION: Julia Nelson nominated Lillian Nolan for the Office of Secretary.

Executive Director Dan Williams called for nominations three (3) times.

Lillian Nolan was elected as Secretary.

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to acknowledge the following 2014 Officer Election Results. Motion carried unanimously.

2014 OFFICER ELECTION RESULTS	
Board Chair	Julia Nelson
Vice Chair	Jeffrey Miller
Secretary	Lillian Nolan

*Julia Nelson assumes the role of Chair of the meeting.
 Jeffrey Miller assumes the role of Vice Chair of the meeting.
 Lillian Nolan assumes the role of Secretary of the meeting.*

APPOINTMENT OF LIAISONS AND COMMITTEE MEMBERS

The Chair appoints the following members to:

2014 COMMITTEE MEMBER APPOINTMENTS	
Rules and Legislation Committee	Jeffrey Miller, Lillian Nolan,

2014 LIAISON APPOINTMENTS	
Board Practice Liaison(s)	Paul Abegglen, Alternates: Sheryl Krause, Maria Joseph
Board Education Liaison(s)	Julie Ellis, Alternate: Sheryl Krause
DLSC Liaison (PAP)	Julia Nelson, Alternate: Jeffrey Miller
DLSC Liaison (Monitoring)	Jeffrey Miller, Alternate: Julia Nelson
Credentialing Liaison	Julia Nelson, Alternate: Julie Ellis
Legislative Liaison	Jeffrey Miller
Newsletter Liaison	Lillian Nolan

Department Appointment as Wis. Stats. 441.50(8)(a)	
Administrator of the Nurse Licensure Compact	Dan Williams

2014 SCREENING PANEL APPOINTMENTS	
February-June 2014	Sheryl Krause, Julie Ellis, Lillian Nolan
July-December 2014	Table until the June 2014 meeting

MOTION: Jeffrey Miller moved, seconded by Sheryl Krause, to acknowledge the appointments made by the chair as the 2014 Liaisons, Screening Panel, and Committee Members, and Dan Williams as the Department appointed Administrator of the Nurse Licensure Compact. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, that the Board delegates authority to the Chair to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair has the ability to delegate this signature authority to the Board's Executive Director for purposes of facilitating the completion of assignments during or between meetings. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Lillian Nolan, 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 where knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Sheryl Krause, to adopt the "Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor" document. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to delegate authority to the Credentialing Liaison(s) 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.

SCHOOL PROGRAM MATTERS

MOTION: Jeffrey Miller moved, seconded by Julie Ellis, to authorize Cardinal Stritch University to admit students to Bachelor of Science in Nursing Program. Motion carried unanimously.

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

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to designate Dan Williams and Jeffrey Miller, or Paul Abegglen as an alternative, to attend the NCSBN Midyear Meeting on March 9–12, 2014 in Kansas City, Missouri. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Maria Joseph, to delegate Jeffrey Miller to attend as a Board of Nursing representative and speak at the Wisconsin Nurses Association's Annual Nurses Day on March 4, 2014 in Madison, Wisconsin. Motion carried unanimously.

CLOSED SESSION

MOTION: Julie Ellis moved, seconded by Maria Joseph, 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.). Julia Nelson read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote; Julia Nelson-yes; Julie Ellis-yes; Lillian Nolan-yes; Jeffrey Miller-yes; Sheryl Krause-yes; and Maria Joseph - yes. Motion carried unanimously.

The Board convened into Closed Session at 11:49 a.m.

RECONVENE TO OPEN SESSION

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 4:29 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

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

STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Deborah R. Grossbier, DLSC case number 12NUR597. Motion carried. *Julie Ellis voted nay.*

- MOTION:** Lillian Nolan moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Margaret H. McCallum, DLSC case number 13NUR006. Motion carried unanimously.
- MOTION:** Lillian Nolan moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Cheri A. Reichert, DLSC case number 13NUR021. Motion carried unanimously.
- MOTION:** Lillian Nolan moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Vanessa R. Wagner, DLSC case number 13NUR061. Motion carried unanimously.
- MOTION:** Lillian Nolan moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Kathleen M. Abbott, DLSC case number 13NUR113. Motion carried unanimously.
- MOTION:** Lillian Nolan moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Renee L. Watrud, DLSC case number 13NUR507. Motion carried unanimously.
- MOTION:** Lillian Nolan moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of application of Justine Sandin, DLSC case number 13NUR529. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

- MOTION:** Jeffrey Miller moved, seconded by Sheryl Krause, to issue an Administrative Warning and close the case in the matter of DLSC case number 13NUR488, R.R. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Sheryl Krause, to issue an Administrative Warning and close the case in the matter of DLSC case number 13NUR531, S.S. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Sheryl Krause, to issue an Administrative Warning and close the case in the matter of DLSC case number 13NUR596, D.G. Motion carried unanimously.

CASE CLOSURES

12NUR365

- MOTION:** Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 12NUR365, against N.D., for Insufficient Evidence. Motion carried unanimously.

13NUR311

- MOTION:** Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 13NUR311, against R.S., for Prosecutorial Discretion (P7). Motion carried unanimously.

13NUR484

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 13NUR484, against E.S., for No Violation. Motion carried unanimously.

13NUR122

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 13NUR122, against J.N., for No Violation. Motion carried unanimously.

13NUR542

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 13NUR542, against S.N., for Prosecutorial Discretion (P7). Motion carried unanimously.

13NUR042

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 13NUR042, against C.B., for Insufficient Evidence. Motion carried unanimously.

12NUR625

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 12NUR625, against unknown, for Insufficient Evidence. Motion carried unanimously.

13NUR257

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 13NUR257, against T.W., for No Violation. Motion carried unanimously.

13NUR391

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 13NUR391, against K.M., for Prosecutorial Discretion (P2). Motion carried unanimously.

13NUR417

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 13NUR417, against D.D., for Prosecutorial Discretion (P3). Motion carried unanimously.

13NUR531

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 13NUR531, against K.B., for Prosecutorial Discretion (P2). Motion carried unanimously.

13NUR253

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 13NUR253, against R.L., for Insufficient Evidence. Motion carried unanimously.

13NUR668

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to close DLSC case number 13NUR668, against M.V., for Insufficient Evidence. Motion carried unanimously.

MONITORING MATTERS

MELISSA ANDERSON, R.N. – REQUESTING REDUCTION IN SCREENS & TERMINATION OF WORK-SETTING RESTRICTION

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to grant the request of Melissa Anderson, R.N., for termination of Work Setting Restrictions including hospice, home health, pool or agency and termination of direct supervision requirements. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to deny the request of Melissa Anderson, R.N., for reduction in screen frequency. **Reason for Denial:** the Board is terminating the Work Setting Restrictions, and therefore the Respondent needs to demonstrate continued compliance with all other terms under a less restrictive work setting. Motion carried unanimously.

CONSTANCE JORDAN – FULL LICENSURE

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to grant the request of Constance Jordan for full licensure once all requirements are met. Motion carried unanimously.

AUDREY MARTORANA – FULL LICENSURE

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to grant the request of Audrey Martorana for full licensure once all requirements are met. Motion carried unanimously.

FINAL DECISIONS

Jeffrey Miller recused himself from voting and deliberation of the matters of DLSC case number 13NUR509.

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Rachel J. Gliszinski, Respondent – DHA case number SPS-13-0012/DLSC case number 13NUR509. **Motion Failed** due to lack of 2/3 affirmative vote of the full board membership.

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to table the reconsideration of the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Rachel J. Gliszinski, Respondent – DHA case number SPS-13-0012/DLSC case number 13NUR509 until the next Board meeting. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Julie Ellis, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Stacy Woods, Respondent – DHA case number SPS-13-0048/DLSC case number 13NUR150. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, Upon receipt and review of the motion for an extension of time by the Division of Legal Services and Compliance dated January 2, 2014, as well as receipt and review of the Respondent's submission of January 7, 2014, the Board has determined that in the interest of protecting the public the Board should consider all relevant information. The Board moves to acknowledge that the Respondent was served with the Divisions objections to the Proposed Decision in the matter of disciplinary proceedings against Cheryl Smokowicz Salceda, Respondent – DHA case number SPS-12-0079/DLSC case number 10NUR239 on December 11, 2013 and the deadline for service is retroactively extended from December 2, 2013 to December 11, 2013. The Respondent will be granted ten (10) days from the day of this Order to file a response to the Division's objections and the Board will consider the Proposed Decision of the Administrative Law Judge, the Division's objections and any response to the objections from Respondent at the next scheduled meeting. Motion carried unanimously.

CREDENTIALING MATTERS

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to approve the R.N. Licensure by Endorsement Application of William Barnhill once all requirements are met. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to approve the Application for Re-Registration/Renewal of Registered Nurse License of Kristiina Irene Badiei Boushehri once all requirements are met. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Lillian Nolan, to approve the R.N. Licensure by Examination Application of Lori Heuser once all requirements are met. Motion carried unanimously.

- MOTION:** Jeffrey Miller moved, seconded by Lillian Nolan, to approve the L.P.N. Licensure by Examination Application of Fred Kavalauskas once all requirements are met. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Maria Joseph, to approve the A.P.N.P. Certification Application of Nikki Kroner based on the provisions of N. 8.03, and to refer file information to DLSC for further investigation of admitted opioid dependence. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Sheryl Krause, to issue an Intent to Deny the L.P.N. Licensure by Examination Application of Nicole Penass unless within forty-five (45) days of the date of the letter applicant provides the Board with a current AODA assessment. **Reason for Denial:** Applicant's convictions from October 2007 through July 2009 are substantially related to the practice of Nursing. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Maria Joseph, that pursuant to the terms of the Final Decision and order dated November 3, 2011, to grant Kathleen Sayles a limited license as a Professional Nurse with the following terms and conditions: The order shall include all requirements contained in the Boards standard Five Year Impairment Order and the Applicant shall successfully complete a Board approved Nurse Refresher Course prior to obtaining employment as a nurse. The Applicant shall provide a copy of this Order to the organization that is providing the nurse refresher course. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Sheryl Krause, to deny the L.P.N. Licensure by Endorsement Application of Betty Wake. **Reason for Denial:** Failure to disclose 2009 criminal history and currently under a disciplinary order in the state of Texas that includes extensive conditions on practice. The Board determines that the Applicant is not currently competent to practice. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Lillian Nolan, that pursuant to the terms of the Final Decision and order dated March 14, 2013, to grant Valeria Whitehead a limited license as a Professional Nurse with the following terms and conditions: The order shall include all requirements contained in the Boards standard Five Year Impairment Order. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Maria Joseph, to approve the Application for R.N. Licensure by Endorsement for Nicole Sprague once all requirements are met. Motion carried unanimously.
- MOTION:** Julie Ellis moved, seconded by Maria Joseph, to request DSPS staff report MCHS Franciscan Skemp in La Crosse for letting Nichole Sprague practice without a Wisconsin license to the appropriate hospital license agency. Motion carried.

ADJOURNMENT

- MOTION:** Jeffrey Miller moved, seconded by Maria Joseph, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 4:35 p.m.