

**BOARD OF NURSING
MEETING MINUTES
April 10, 2014**

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

STAFF: Dan Williams – Executive Director; Matt Guidry – Bureau Assistant; Gretchen Mrozinski – Board Legal Counsel, and other DSPS Staff

CALL TO ORDER

Julia Nelson called the meeting to order at 8:05 a.m. A quorum of seven (7) members was confirmed.

ADOPTION OF AGENDA

Remove item “M.7 Adam Jerzak” from the agenda.

Correct item K.3(c) on the Agenda to read “K.3(c) 13NUR523 (L.M.M.)”.

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

APPROVAL OF MINUTES OF MARCH 13, 2014

MOTION: Jeffrey Miller moved, seconded by Paul Abegglen to approve the minutes of March 13, 2014 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

MOTION: Jeffrey Miller moved, seconded by Paul Abegglen, to acknowledge the standing process that the department will screen communications and use the Department’s discretion to bring those matters to the liaisons or Board as needed. Motion carried unanimously.

MOTION: Paul Abegglen moved, seconded by Maria Joseph, to delegate credentialing decisions to DSPS Staff involving the following situations of Operating While Intoxicated prior to the entering into Nursing School, Under Age Drinking, ordinance or municipal violations prior to entering Nursing School, and retail theft prior to entering Nursing School. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to delegate credentialing decisions to DSPS Credentialing Staff involving 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, and granting full licensure after verification of completion is received. Motion carried unanimously.

PRESCRIPTION DRUG MONITORING PROGRAM

MOTION: Maria Joseph moved, seconded by Sheryl Krause, to authorize Paul Abegglen as the designated PDMP Liaison on behalf of the Board for operation of the PDMP. Motion carried unanimously.

SPEAKING ENGAGEMENTS AND TRAVEL REQUESTS

MOTION: Jeffrey Miller moved, seconded by Paul Abegglen, to designate Julie Ellis and Sheryl Krause to attend the 2014 Discipline Case Management Conference by NCSBN in June 2014 taking place in Park City, Utah and request travel wavier from the sponsoring organization. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Paul Abegglen, to designate Dan Williams to attend the Executive Officer Summit for NCSBN June 2014 taking place in Asheville, North Carolina. Motion carried unanimously.

EDUCATION AND EXAMINATIONS MATTERS

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to approve the Nursing Program at Rasmussen College – Wausau. Motion carried.

Julie Ellis recused herself in the matters of the approval of Rasmussen College Wausau.

CLOSED SESSION

MOTION: Maria Joseph moved, seconded by Jeffrey Miller, 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; Maria Joseph-yes; Julie Ellis-yes; Lillian Nolan-yes; Jeffrey Miller-yes; Sheryl Krause-yes; and Paul Abegglen - yes. Motion carried unanimously.

The Board convened into Closed Session at 9:58 a.m.

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 3:03 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

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

MONITORING

Lisa Wickline, R.N. (Appearance) – Requesting Full Licensure

MOTION: Maria Joseph moved, seconded by Paul Abegglen, to grant the request of Lisa Wickline for her request for Full Licensure. Motion carried unanimously.

Kathryn Berry, R.N. – Requesting Full Licensure

MOTION: Julie Ellis moved, seconded by Lillian Nolan, to deny the request of Kathryn Berry for Full Licensure. The Board grants her request to terminate therapy and gain access to controlled substances. All other terms of the Order not otherwise modified shall remain in effect. **Reason for Denial:** lack of full compliance with the Board order related to work hours. Motion carried unanimously.

Sally Blackbourn, R.N. – Requesting Modifications

MOTION: Lillian Nolan moved, seconded by Paul Abegglen, to grant the request of Sally Blackbourn for reducing the alcohol and drug screenings to twenty-eight (28) screens per year plus one (1) hair and terminates the requirement of work reports unless there is a change of employer. All other terms of the Order not otherwise modified shall remain in effect. Motion carried unanimously.

Barbara Hansen, R.N. – Requesting Full Licensure

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to deny the request of Barbara Hansen for Full Licensure. **Reason for Denial:** lack of compliance with the Board Order. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to revoke the Stay of Suspension due to lack of compliance with the terms under the Board Order. Motion carried unanimously.

Brandi Malcook, L.P.N. – Requesting Full Licensure

MOTION: Paul Abegglen moved, seconded by Lillian Nolan, to grant the request of Brandi Malcook for Full Licensure. Motion carried unanimously.

Jamie Meints, R.N. – Requesting Full Licensure

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to deny the request of Jamie Meints for Full Licensure. The Board grants the reduction of drug and alcohol tests to twenty-eight (28) plus one (1) hair per year. **Reason for Denial:** missed tests and check-ins in the last five (5) years. Motion carried unanimously.

Kim Mittelstadt, R.N., A.P.N.P. – Requesting Full Licensure

MOTION: Maria Joseph moved, seconded by Lillian Nolan, to grant the request of Kim Mittelstadt for Full Licensure. Motion carried unanimously.

Todd Varnes, R.N. – Requesting Full Licensure

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to grant the request of Todd Varnes for Full Licensure. *Motion Fails.*

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to grant the request of Todd Varnes for Full Licensure. Motion carried. Let the record reflect that Julia Nelson and Julie Ellis wish to have their opposition noted in the minutes.

STIPULATIONS, FINAL DECISIONS AND ORDERS

A.M.S. – 12NUR236

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, to reject the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against A.M.S. – 12NUR236. Motion carried unanimously.

J.M.S. – 13NUR203

MOTION: Julie Ellis moved, seconded by Paul Abegglen, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against J.M.S. – 13NUR203. Motion carried unanimously.

S.M.L. – 13NUR385

MOTION: Julie Ellis moved, seconded by Paul Abegglen, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against S.M.L. – 13NUR385. Motion carried unanimously.

E.S.J. – 13NUR400

MOTION: Julie Ellis moved, seconded by Paul Abegglen, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against E.S.J. – 13NUR400. Motion carried unanimously.

A.M.R.F. – 13NUR463

MOTION: Julie Ellis moved, seconded by Paul Abegglen, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against A.M.R.F. – 13NUR463. Motion carried unanimously.

A.E.R. – 13NUR704

MOTION: Julie Ellis moved, seconded by Paul Abegglen, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against A.E.R. – 13NUR704. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to issue an Administrative Warning in the matter of DLSC case number 13NUR376 – E.K.H. Motion carried unanimously.

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to issue an Administrative Warning in the matter of DLSC case number 13NUR523 – L.M.M. Motion carried unanimously.

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to issue an Administrative Warning in the matter of DLSC case number 13NUR551 – L.B.H. Motion carried unanimously.

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to issue an Administrative Warning in the matter of DLSC case number 14NUR027 – R.D.C. Motion carried unanimously.

PETITION FOR SUMMARY SUSPENSION

SABRINA C.K. GILES
(13NUR059 and 14NUR079)

Jeffrey Miller recused himself as case advisor from deliberations, discussion and voting on the matters related to Sabrina C.K. Giles Summary Suspension proceedings.

MOTION: Julie Ellis moved, seconded by Lillian Nolan, to confirm a finding of probable cause to believe that Respondent, Sabrina C.K. Giles, has engaged in or is like to engage in conduct such that the public health, safety or welfare imperatively requires emergency suspension of Respondent's license to practice professional nursing. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Lillian Nolan, to issue an Order of summarily suspending the license of Respondent, Sabrina C.K. Giles, to practice professional nursing in the state of Wisconsin and that such suspension will continue until the effective date of a final decision and order issued in the disciplinary proceeding against Respondent, unless otherwise ordered by the Board. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Lillian Nolan, to acknowledge that notice was given to Sabrina C.K. Giles of the Summary Suspension proceedings pursuant to Wis. Admin. Code SPS 6.05. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Lillian Nolan, to authorize the Board Chair to act on behalf of the Board to approve the designation of a Hearing Official for any Order to Show Cause Hearing in the matter of the Summary Suspension of the license of Sabrina C.K. Giles. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Lillian Nolan, to authorize the Board Chair as having the authority to act on behalf of the Board to approve and sign the Order of Summary Suspension in the matter of the Summary Suspension of license of Sabrina C.K. Giles. Motion carried unanimously.

CASE CLOSURES

13NUR055 – C.S.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR055 – C.S. for no violation. Motion carried unanimously.

13NUR091 – J.C.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR091 – J.C. for insufficient evidence. Motion carried unanimously.

13NUR187 – L.G.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR187 – L.G. for prosecutorial discretion (P3). Motion carried unanimously.

13NUR198 – J.F.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR198 – J.F. for insufficient evidence. Motion carried unanimously.

13NUR203 – M.G.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR203 – M.G. for prosecutorial discretion (P1). Motion carried unanimously.

13NUR421 – S.B.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR421 – S.B. for insufficient evidence. Motion carried unanimously.

13NUR428 – N.C.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR428 – N.C. for prosecutorial discretion (P5 with a flag). Motion carried unanimously.

RECONSIDERATION OF DENIAL

MOTION: Paul Abegglen moved, seconded by Sheryl Krause, to rescind the 2013 motion of Denial by the Board of the application for licensure of Lori B. Hollister. Motion carried unanimously.

MOTION: Paul Abegglen moved, seconded by Sheryl Krause, to approve the application for licensure for Lori B. Hollister upon successful completion of the NCLEX exam and once all other requirements are met. Motion carried unanimously.

FINAL DECISIONS AND ORDERS

Jeffrey Miller recused himself on the voting, discussion and deliberation on the matters of Rachel J. Gliszinski, LPN, Respondent – (DHA#SPS-13-0012) (DLSC Case#12NUR509) and Coretta Harris, RN, Respondent – (DHA case# SPS-13-0045) (DLSC Case #13NUR002).

MOTION: Paul Abegglen moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Rachel J. Gliszinski, LPN, Respondent – (DHA#SPS-13-0012) (DLSC Case#12NUR509). Motion carried.

MOTION: Paul Abegglen moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Coretta Harris, RN, Respondent – (DHA case# SPS-13-0045) (DLSC Case #13NUR002). Motion carried.

Lillian Nolan recused herself on the voting, discussion, and deliberation on the matters of Vicki Harris, RN, Respondent – (DHA case# SPS13-0044) (DLSC Case #12NUR300).

MOTION: Jeffrey Miller 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 Vicki Harris, RN, Respondent – (DHA case# SPS13-0044) (DLSC Case #12NUR300). Motion carried.

CREDENTIALING MATTERS

Enrique Casiano (Appearance) – Education Review

MOTION: Lillian Nolan moved, seconded by Maria Joseph, to table the matter of the application of Enrique Casiano until further information is received relative to approval by the Board of Nursing of Puerto Rico. Motion carried unanimously.

Brian Strunz – Conviction Review

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, to approve the licensure application of Brian Strunz – Conviction Review, once all requirements are met. Motion carried unanimously.

Heather Wiltse – Conviction Review

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, to approve the licensure application of Heather Wiltse, once all requirements are met. Motion carried unanimously.

Jana Jungwirth – Conviction Review

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to table the matter of the application of Jana Jungwirth. Motion carried unanimously.

Rita Gray – Conviction, Discipline, and Refresher Course

MOTION: Lillian Nolan moved, seconded by Paul Abegglen, to table the matter of the application of Rita Gray. Motion carried unanimously.

Sarah Bone – Medical Condition Review

MOTION: Jeffrey Miller moved, seconded by Paul Abegglen, to approve the licensure application of Sarah Bone, once all requirements are met. Motion carried unanimously.

BOARD STRATEGIC PLANNING

Maria Joseph left the meeting at 3:10 p.m.

CASE CLOSURES

13NUR429 – L.D.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR429 – L.D. for insufficient evidence. Motion carried unanimously.

13NUR458 – K.J.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR458 – K.J. for no violation. Motion carried unanimously.

13NUR505 – T.A

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR505 – T.A. for insufficient evidence. Motion carried unanimously.

13NUR540 – P.R

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR540- P.R. for prosecutorial discretion (P3). Motion carried unanimously.

13NUR571 – L.Z.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR571 – L.Z. for prosecutorial discretion. Motion carried unanimously.

13NUR659 – B.J.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR659 - for prosecutorial discretion (P2). Motion carried unanimously.

13NUR679 –M.A.H.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR679 –M.A.H. for P2. Motion carried unanimously.

13NUR689 – P.F.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 13NUR689 – P.F., for no violation. Motion carried unanimously.

14NUR004 – A.L.B.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 14NUR004 – A.L.B. for prosecutorial discretion (P7). Motion carried unanimously.

14NUR008 – N.S.K

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 14NUR008 – N.S.K. for prosecutorial discretion (P7). Motion carried unanimously.

14NUR017 - UNKNOWN

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 14NUR017 - UNKNOWN for insufficient evidence. Motion carried unanimously.

14NUR037 – C.H.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 14NUR037 - for prosecutorial discretion (P5 with a flag). Motion carried unanimously.

14NUR076 – L.C.M.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to close DLSC case number 14NUR076 – L.C.M. for prosecutorial discretion. Motion carried unanimously.

ADJOURNMENT

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:20 p.m.