

**BOARD OF NURSING  
MEETING MINUTES  
December 11, 2014**

**PRESENT:** Paul Abegglen, Julie Ellis, Maria Joseph, Peter Kallio, Sheryl Krause, Lillian Nolan, Luann Skarlupka, Cheryl Streeter

**EXCUSED:** Jeffrey Miller

**STAFF:** Dan Williams, Executive Director; Kimberly Wood, Bureau Assistant; and other DSPS Staff

**CALL TO ORDER**

Sheryl Krause, Vice Chair, called the meeting to order at 8:07 a.m. A quorum of eight (8) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Julie Ellis moved, seconded by Paul Abegglen, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF NOVEMBER 13, 2014**

**Amendments to Minutes:**

- On Page 1 of the Minutes: **Correct** the date listed at the top of the page from “November 12, 2014” to “November 13, 2014”.
- On Page 2 of the Minutes: **Add** “Luann” before “Skarlupka” in the motion to convene to closed session.
- On Page 2 of the Minutes: **Correct** the time listed for when the Board reconvened into open session from “2:04 a.m.” to “2:04 p.m.”

**MOTION:** Lillian Nolan moved, seconded by Luann Skarlupka, to approve the minutes of November 13, 2014 as amended. Motion carried unanimously.

**EDUCATION AND EXAMINATION MATTERS**

**Request for Authorization to Admit Students – Carthage College**

**MOTION:** Luann Skarlupka moved, seconded by Julie Ellis, to acknowledge the appearance of Dr. Frank Hicks, of Carthage College. Motion carried unanimously.

**MOTION:** Julie Ellis moved, seconded by Peter Kallio, to grant authorization to admit students to Carthage College’s BSN program. Motion carried unanimously.

**CLOSED SESSION**

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

The Board convened into Closed Session at 8:44 a.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Peter Kallio moved, seconded by Luann Skarlupka, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 12:05 p.m.

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

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

**DELIBERATION OF PROPOSED FINAL DECISION AND ORDER**

**Yvette Johnson Harris, RN, Respondent (DHA Case SPS-14-0049) (DLSC Case # 13 NUR 133)**

**MOTION:** Julie Ellis moved, seconded by Maria Joseph, to remand this matter back to Administrative Law Judge (ALJ) Nashold for the purpose of opening the record to consider the respondent's objections to the ALJ Proposed Decision and Order and the Division's responses to the respondent's objections, to take additional testimony if needed, and to issue a new Proposed Decision after consideration. The Board considers all submissions to be relevant and timely. Motion carried unanimously.

**Trista E. Ney, RN, Respondent (DHA Case SPS-14-0054) (DLSC Case # 14 NUR 039)**

**MOTION:** Lillian Nolan moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Trista E. Ney, RN, Respondent (DHA Case SPS-14-0054) (DLSC Case # 14 NUR 039). Motion carried unanimously.

**Sandra B. Graham, RN, Respondent (DHA Case SPS-14-0067) (DLSC Case # 13 NUR 470)**

**MOTION:** Paul Abegglen moved, seconded by Peter Kallio, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Sandra B. Graham, RN, Respondent (DHA Case SPS-14-0067) (DLSC Case # 13 NUR 470). Motion carried unanimously.

**MONITORING**

**Mark Kongshaug, R.N. – Requesting Modifications**

**MOTION:** Luann Skarlupka moved, seconded by Peter Kallio, to deny the request of Mark Kongshaug, R.N. for modifications. The Board further removes the stay of suspension, and prohibits respondent from seeking a reinstatement of the stay any sooner than 3 months from the date of the Order which removes the stay of suspension. **Reason for Denial and Removal of Stay of Suspension:** Substantial and/or repeated violations of provisions in Section ‘C’ or ‘D’ of the March 1, 2007 Board Order. Motion carried unanimously.

**Carrie Voss, A.P.N.P. – Requesting Modifications**

**MOTION:** Maria Joseph moved, seconded by Paul Abegglen, to grant the request of Carrie Voss, A.P.N.P., for a reduction in the frequency of drug and alcohol screens, the Board hereby reduces screens to 36 per year. Motion carried unanimously.

**STIPULATIONS, FINAL DECISIONS AND ORDERS**

**13 NUR 504 (M.L.G.)**

**MOTION:** Paul Abegglen moved, seconded by Cheryl Streeter, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against M.L.G., DLSC case number 13 NUR 504. Motion carried unanimously.

**13 NUR 504 (S.E.K.)**

**MOTION:** Paul Abegglen moved, seconded by Cheryl Streeter, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against S.E.K., DLSC case number 13 NUR 504. Motion carried unanimously.

**14 NUR 313 (M.A.P.)**

**MOTION:** Paul Abegglen moved, seconded by Cheryl Streeter, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against M.A.P., DLSC case number 14 NUR 313. Motion carried unanimously.

**14 NUR 351 (N.J.D.)**

**MOTION:** Paul Abegglen moved, seconded by Cheryl Streeter, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against N.J.D., DLSC case number 14 NUR 351. Motion carried unanimously.

**14 NUR 373 (A.D.H.)**

**MOTION:** Paul Abegglen moved, seconded by Cheryl Streeter, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against A.D.H., DLSC case number 14 NUR 373. Motion carried unanimously.

**14 NUR 469 (D.D.L.)**

**MOTION:** Paul Abegglen moved, seconded by Cheryl Streeter, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against D.D.L., DLSC case number 14 NUR 469. Motion carried unanimously.

**13 NUR 205 and 13 NUR 443 (L.F.M.)**

**MOTION:** Paul Abegglen moved, seconded by Peter Kallio, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against L.F.M., DLSC case number 13 NUR 205 and 13 NUR 443. Motion carried unanimously.

**13 NUR 282 (G.A.P.)**

**MOTION:** Paul Abegglen moved, seconded by Peter Kallio, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against G.A.P., DLSC case number 13 NUR 282. Motion carried unanimously.

**14 NUR 110 (R.H.H.)**

**MOTION:** Paul Abegglen moved, seconded by Peter Kallio, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against R.H.H., DLSC case number 14 NUR 110. Motion carried unanimously.

**14 NUR 139 (A.C.S.)**

**MOTION:** Paul Abegglen moved, seconded by Peter Kallio, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against A.C.S., DLSC case number 14 NUR 139. Motion carried unanimously.

**14 NUR 452 (J.W.K.)**

**MOTION:** Paul Abegglen moved, seconded by Peter Kallio, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against J.W.K., DLSC case number 14 NUR 452. Motion carried unanimously.

**14 NUR 528 (T.M.F.)**

**MOTION:** Paul Abegglen moved, seconded by Peter Kallio, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against T.M.F., DLSC case number 14 NUR 528. Motion carried unanimously.

**CASE CLOSURES**

**13 NUR 504**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **13 NUR 504**, against P.A.K. for Insufficient Evidence. Motion carried unanimously.

**13 NUR 611**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **13 NUR 611** for Prosecutorial Discretion (P6). Motion carried unanimously.

**13 NUR 673**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **13 NUR 673**, against L.S.H., for No Violation, and against Unknown, for Insufficient Evidence. Motion carried unanimously.

**14 NUR 002**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 002** for Prosecutorial Discretion (P7). Motion carried unanimously.

**14 NUR 162**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 162** for Prosecutorial Discretion (P2). Motion carried unanimously.

**14 NUR 238**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 238** for Prosecutorial Discretion (P5-Flag). Motion carried unanimously.

**14 NUR 289**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 289**, against C.A.R., for Insufficient Evidence, and against D.D.R., for No Violation. Motion carried unanimously.

**14 NUR 376**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 376** for Prosecutorial Discretion (P1). Motion carried unanimously.

**14 NUR 409**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 409** for Prosecutorial Discretion (P5-Flag). Motion carried unanimously.

**14 NUR 423**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 423** for No Violation. Motion carried unanimously.

**14 NUR 477**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 477** for Prosecutorial Discretion (P2). Motion carried unanimously.

**14 NUR 492**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 492** for Prosecutorial Discretion (P2). Motion carried unanimously.

**14 NUR 539**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 539** for Prosecutorial Discretion (P1). Motion carried unanimously.

**14 NUR 547**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 547** for Prosecutorial Discretion (P2). Motion carried unanimously.

**14 NUR 567**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 567** for No Violation. Motion carried unanimously.

**14 NUR 591**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 591** for Prosecutorial Discretion (P7). Motion carried unanimously.

**14 NUR 608**

**MOTION:** Maria Joseph moved, seconded by Lillian Nolan, to close DLSC case number **14 NUR 608** for Prosecutorial Discretion (P2). Motion carried unanimously.

**DELIBERATION OF CREDENTIALING MATTERS**

**Jacqueline Geske – Discipline Review**

**MOTION:** Julie Ellis moved, seconded by Maria Joseph, to **deny** the RN application of Jacqueline Geske for full licensure. The Board, in lieu of denial, will offer the applicant a limited license with terms to be determined by the Credentialing Liaison. **Reason for Denial:** Denial of full licensure per Wis. Stat. 441.07(1g) and Wisconsin Administrative Code N7.03(1)(b). Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Cheryl Streeter moved, seconded by Julie Ellis, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:14 p.m.