

**BOARD OF NURSING  
MEETING MINUTES  
January 8, 2015**

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

**EXCUSED:** Maria Joseph

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

**CALL TO ORDER**

Jeffrey Miller, Chair, called the meeting to order at 8:04 a.m. A quorum of eight (8) members was confirmed.

**ADOPTION OF THE AGENDA**

**Amendments to the Agenda:**

- ***ADD (Closed): Stipulation 14 NUR 024 (C.R.S.) –Item “K”***

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

**APPROVAL OF MINUTES OF DECEMBER 11, 2014**

**Amendments to Minutes:**

- On Page 2 of the Minutes:
  - In the motion to convene to Closed Session **Correct** by removing Jeffrey Miller’s name and replace it with Sheryl Krause’s name as follows: “~~Jeffrey Miller~~ **Sheryl Krause** read the language of the motion.”
  - In the motion to reconvene to Open Session **Correct** the spelling of Luann Skarlupka in the second sentence of that motion to “Luann Skarlupla”
- On Page 4 of the Minutes:
  - In the motion adopting the stipulation for DLSC case number 13 NUR 205 and 13 NUR 443 **Correct** the initials from “L.M.F.” to L.F.M.”.

**MOTION:** Luann Skarlupka moved, seconded by Lillian Nolan, to approve the minutes of December 11, 2014 as amended. Motion carried unanimously.

**ELECTION OF BOARD OFFICERS FOR 2015**

**Chair**

**NOMINATION:** Julie Ellis 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:** Julie Ellis 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:** Sheryl Krause 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.

**APPOINTMENT OF BOARD LIAISONS, AND DELEGATION OF AUTHORITY**

<b>2015 COMMITTEE MEMBER APPOINTMENTS</b>	
Rules and Legislation Committee	Jeffrey Miller, Luann Skarlupka, Peter Kallio

<b>2015 LIAISON APPOINTMENTS</b>	
Board Practice Liaison(s)	Paul Abegglen Alternate: Sheryl Krause
Board Education Liaison(s)	Julie Ellis Alternate: Sheryl Krause
Nurse Refresher Course Liaison	Julie Ellis
DLSC Liaison (PAP)	Jeffrey Miller Alternate: Cheryl Streeter

DLSC Liaison (Monitoring)	Paul Abegglen Alternate: Jeffrey Miller
Credentialing Liaison	Paul Abegglen Alternate: Julie Ellis
Legislative Liaison	Jeffrey Miller
Newsletter Liaison	Lillian Nolan

2015 SCREENING PANEL APPOINTMENTS	
February-June 2015	Cheryl Streeter, Peter Kallio, Luann Skarlupka
July-December 2015	Review in June 2015

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

**Liaison Assignments**

**MOTION:** Luann Skarlupka moved, seconded by Peter Kallio, to acknowledge the appointments made by the chair as to the 2015 Liaisons, Screening Panel, and Committee Members, and to acknowledge that Executive Director Dan Williams is the DSPS appointed Administrator of the Nurse Licensure Compact. Motion carried unanimously.

**Document Signature Delegation**

**MOTION:** Cheryl Streeter moved, seconded by Luann Skarlupka, 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.

**Delegation for Matters that Arise Between Meetings**

**MOTION:** Luann Skarlupka moved, seconded by Paul Abegglen, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, to appoint liaisons to the Department to act 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.

**Credentialing Delegations**

**MOTION:** Peter Kallio moved, seconded by Luann Skarlupka, to delegate authority to the Credentialing Liaison(s) to address all issues related to credentialing matters except potential denial decisions which will be referred to the full Board for final determination. Motion carried unanimously.

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

**MOTION:** Cheryl Streeter moved, seconded by Sheryl Krause, to delegate decision making authority to DSPS staff for licensure purposes relating to:

- 1) A single OWI conviction.
- 2) OWI prior to the entering into Nursing School
- 3) Under Age Drinking
- 4) Ordinance or municipal violations prior to entering Nursing School
- 5) Retail theft prior to entering Nursing School.
- 6) 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.

**Screening Delegations**

**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.

**Monitoring Delegations**

**MOTION:** Lillian Nolan moved, seconded by Peter Kallio, to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” document. Motion carried unanimously.

**Nursing Refresher Course Delegation**

**MOTION:** Luann Skarlupka moved, seconded by Cheryl Streeter, to delegate approval authority of Nursing Refresher Courses to Julie Ellis. Motion carried unanimously.

**EDUCATION AND EXAMINATION MATTERS  
DISCUSSION AND CONSIDERATION**

**Request for Initial Board of Nursing Approval of a Nursing School – Lac Courte Oreilles Ojibwa Community College**

**MOTION:** Julie Ellis moved, seconded by Peter Kallio, to conduct a site visit of Lac Courte Oreilles Ojibwa Community College as a part of the approval process. Motion carried unanimously.

**Request for Approval of Nursing Refresher Course – Chippewa Valley Technical College (CVTC)**

**MOTION:** Lillian Nolan moved, seconded by Julie Ellis, to approve the Nursing Refresher Course of CVTC. Motion carried unanimously.

**Request for Approval of Nursing Refresher Course – Fox Valley Technical College (FVTC)**

**MOTION:** Luann Skarlupka moved, seconded by Sheryl Krause, to approve the Nursing Refresher Course of FVTC. Motion carried unanimously.

**Request for Approval of Nursing Refresher Course – Minnesota State Community and Technical College**

**MOTION:** Peter Kallio moved, seconded by Paul Abegglen, to approve the Nursing Refresher Course of Minnesota State Community and Technical College. Motion carried unanimously.

**Request for Approval of Nursing Refresher Course – Waukesha County Technical College (WCTC)**

**MOTION:** Lillian Nolan moved, seconded by Julie Ellis, to approve the Nursing Refresher Course of Waukesha County Technical College. Motion carried unanimously.

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

**Consistency Measures in Consideration of Speaking Engagement Requests from Wisconsin Schools of Nursing**

**MOTION:** Peter Kallio moved, seconded by Paul Abegglen, to designate Sheryl Krause, Julie Ellis and Luann Skarlupka to work toward creation of an outline of a forum for open dialogue/presentation about the Board and its duties. Motion carried unanimously.

**Marquette University Request for a Board Member Presentation**

**MOTION:** Julie Ellis moved, seconded by Paul Abegglen, to decline the invitation for a Board Member presentation at Marquette University. Motion carried unanimously.

**Designation of Attendee to the 2015 National Council of State Boards of Nursing (NCSBN) Midyear Meeting and Nurse Licensure Compact Administrators (NLCA)– March 15-18, 2015 – Louisville, KY**

**MOTION:** Lillian Nolan moved, seconded by Luann Skarlupka, to designate Dan Williams and Jeffrey Miller as primary delegates to attend the 2015 National Council of State Boards of Nursing (NCSBN) Midyear Meeting and Nurse Licensure Compact Administrators (NLCA)– March 15-18, 2015 – Louisville, KY. Motion carried unanimously.

**MOTION:** Lillian Nolan moved, seconded by Luann Skarlupka, to designate Julie Ellis to attend the 2015 National Council of State Boards of Nursing (NCSBN) Midyear Meeting and Nurse Licensure Compact Administrators (NLCA)– March 15-18, 2015 – Louisville, KY, contingent upon travel funding approval from NCSBN. Motion carried unanimously.

**Speaking Engagement Request from the Wisconsin Nursing Association (WNA) Nurses day at the Capitol - March 3 Monona Terrace**

**MOTION:** Paul Abegglen moved, seconded by Cheryl Streeter, to authorize Jeffrey Miller to speak at the Nurses Days at that Capitol on March 3, 2015. 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.). Jeffrey Miller 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; 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 10:21 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 12:38 p.m.

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

**MOTION:** Luann Skarlupka moved, seconded by Cheryl Streeter, to affirm all motions made in closed session. Motion carried unanimously.

**DELIBERATION ON DIVISION OF**

**LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

**Monitoring Including but not Limited to; Modifications, Reinstatements, and Consideration of Board Order Violations**

**Mary Trunnell, R.N. – Requesting Full Licensure**

**MOTION:** Lillian Nolan moved, seconded by Cheryl Streeter, to grant the request of Mary Trunnell, R.N. for full licensure. Motion carried unanimously.

**Barbara Warner, R.N. – Requesting Full Licensure**

**MOTION:** Lillian Nolan moved, seconded by Cheryl Streeter, to grant the request of Barbara Warner, R.N. for full licensure. Motion carried unanimously.

**Proposed Final Decision and Order**

**Deborah J. Mishler, L.P.N., Respondent (DHA Case # SPS-13-0031)(DLSC Case # 12 NUR 020)**

**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 Deborah J. Mishler, L.P.N., Respondent (DHA Case # SPS-13-0031)(DLSC Case # 12 NUR 020). Motion carried.

*(Jeffrey Miller recused himself and left the room for deliberation, and voting in the matter concerning Deborah J. Mishler, L.P.N., Respondent (DHA Case # SPS-13-0031)(DLSC Case # 12 NUR 020).)*

**DLSC Attorney Amanda Florek**

**Proposed Stipulations, Final Decisions and Orders**

**MOTION:** Lillian Nolan moved, seconded by Peter Kallio, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 14 NUR 353 (M.J.S.)
2. 14 NUR 354 (C.M.C.)
3. 14 NUR 024 (C.R.S.)

Motion carried unanimously.

**Administrative Warnings**

**MOTION:** Cheryl Streeter moved, seconded by Peter Kallio, to issue Administrative Warnings in the matter of the following cases:

1. 14 NUR 581 (H.R.K.)
2. 14 NUR 649 (J.S.)

Motion carried unanimously.

**DLSC Attorney Kim Kluck**

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

**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:

1. 13 NUR 517 (C.T.S.)
2. 14 NUR 398 (S.M.B.)
3. 14 NUR 412 (L.S.P.)
4. 14 NUR 425 (R.R.E.)
5. 14 NUR 506 (J.M.C.)
6. 14 NUR 660 (C.D.L.)

Motion carried unanimously.

**Administrative Warnings**

**MOTION:** Julie Ellis moved, seconded by Sheryl Krause, to issue Administrative Warnings in the matter of the following cases:

1. 14 NUR 122 (J.J.S.)
2. 14 NUR 533 (M.K.H.)

Motion carried unanimously.

**Case Closures**

**MOTION:** Luann Skarlupka moved, seconded by Sheryl Krause, to close the DLSC cases for the reasons outlined below:

1. 14 NUR 635 – Prosecutorial Discretion (P1)
2. 14 NUR 215 – Prosecutorial Discretion (P3)
3. 14 NUR 525 – Prosecutorial Discretion (P2)
4. 14 NUR 251 – Insufficient Evidence
5. 14 NUR 118 – Insufficient Evidence
6. 14 NUR 504 – No Violation
7. 13 NUR 004 – Prosecutorial Discretion (P2)
8. 12 NUR 237 – Insufficient Evidence
9. 14 NUR 669 – Prosecutorial Discretion (P2)

Motion carried unanimously.

**DELIBERATION OF CREDENTIALING MATTERS**

**Jennifer Howard – Conviction and Discipline Review**

**MOTION:** Lillian Nolan moved, seconded by Luann Skarlupka, to grant RN applicant Jennifer Howard a limited license with terms to be determined by the Credentialing Liaison. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Luann Skarlupka moved, seconded by Sheryl Krause, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:50 p.m.