

**BOARD OF NURSING
MEETING MINUTES
March 12, 2015**

PRESENT: Paul Abegglen, Julie Ellis, Maria Joseph, Peter Kallio, Sheryl Krause (*arrived at 8:18 a.m.*), Jeffrey Miller, Lillian Nolan, Luann Skarlupka, Cheryl Streeter

STAFF: Dan Williams, Executive Director; Nilajah Madison-Head, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Jeffrey Miller called the meeting to order at 8:00 a.m. A quorum of eight (8) members was confirmed.

ADOPTION OF THE AGENDA

Amendments to the Agenda:

- *Under Item J(1)(a) (Closed Session): Add Proposed Stipulation, Final Decision, and Order 14 NUR 219 and 14 NUR 583 (B.J.W.)*

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

APPROVAL OF MINUTES OF FEBRUARY 12, 2015

MOTION: Paul Abegglen moved, seconded by Luann Skarlupka, to approve the minutes of February 12, 2015 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Delegation of Authority

MOTION: Julie Ellis moved, seconded by Peter Kallio that Board Counsel or another Department attorney is formally authorized to serve as the Board's designee for purposes of Wis. Admin. Code SPS § 1.08(1). Motion carried unanimously.

MOTION: Paul Abegglen moved, seconded by Cheryl Streeter, to delegate credentialing authority to DSPS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Board or Board liaison review. Motion carried unanimously.

(Sheryl Krause arrived at 8:18 a.m.)

EDUCATION AND EXAMINATION MATTERS

Bryant and Stratton College Request for Authorization to Plan a Nursing School (PN)

MOTION: Maria Joseph moved, seconded by Cheryl Streeter, to approve the request of Bryant and Stratton College for authorization to plan a Nursing School (PN). Motion carried unanimously.

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to acknowledge and thank Linda Krueger, Ed.D., R.N., M.S.N. for her presence. Motion carried unanimously.

Lakeshore Technical College NLCEX Pass Rate Analysis and Plan

MOTION: Julie Ellis moved, seconded by Luann Skarlupka, to acknowledge receipt of Lakeshore Technical College's NLCEX Pass Rate Analysis and Plan. Motion carried unanimously.

CLOSED SESSION

MOTION: Paul Abegglen moved, seconded by Peter Kallio, 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, Chair, 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; Jeffrey Miller-yes; Lillian Nolan-yes; Luann Skarlupka-yes; and Cheryl Streeter-yes. Motion carried unanimously.

The Board convened into Closed Session at 8:59 a.m.

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 10:58 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

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

PROPOSED FINAL DECISION AND ORDERS

Carrie Pietrasik-Dewey, R.N. (DHA case SPS-14-0071)(DLSC case 14 NUR 117)

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 Carrie Pietrasik-Dewey, R.N. (DHA case SPS-14-0071)(DLSC case 14 NUR 117) Motion carried. Recused: Jeffrey Miller

(Jeffrey Miller recused himself and left the room for deliberation, and voting in the matter concerning Carrie Pietrasik-Dewey, R.N. (DHA case SPS-14-0071)(DLSC case 14 NUR 117) Sheryl Krause, Vice Chair, assumed the role of Chair during this topic.)

Karyn Kaiser, L.P.N. (DHA case SPS-14-0097)(DLSC case 14 NUR 007)

MOTION: Luann Skarlupka moved, seconded by Cheryl Streeter, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Karyn Kaiser, L.P.N. (DHA case SPS-14-0097)(DLSC case 14 NUR 007) Motion carried. Recused: Jeffrey Miller

(Jeffrey Miller recused himself and left the room for deliberation, and voting in the matter concerning Karyn Kaiser, L.P.N. (DHA case SPS-14-0097)(DLSC case 14 NUR 007). Sheryl Krause, Vice Chair, assumed the role of Chair during this topic.)

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

DLSC Attorney Amanda Florek

Proposed Stipulations, Final Decisions and Orders

MOTION: Paul Abegglen moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 13 NUR 608 (L.J.W.)
2. 13 NUR 708 (J.J.P.)
3. 14 NUR 303 (S.U.)
4. 14 NUR 357 (A.A.R.)
5. 14 NUR 602 (B.A.H.)
6. 14 NUR 623 (S.A.K.)
7. 14 NUR 659 (J.A.C.)
8. 14 NUR 702 (R.C.C.)
9. 14 NUR 707 (E.S.J.)
10. 14 NUR 722 (S.S.B.)
11. 15 NUR 016 (T.L.A.)
12. 14 NUR 219 and 14 NUR 583 (B.J.W.)

Motion carried unanimously.

Administrative Warnings

14 NUR 586 – F.E.S.

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to issue an Administrative Warning in the matter of 14 NUR 586 (F.E.S.). Motion carried. Recused: Paul Abegglen

(Paul Abegglen recused himself and left the room for deliberation and voting in the matter of 14 NUR 586 (F.E.S.).)

15 NUR 010 – J.A.F.

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to issue an Administrative Warning in the matter of 15 NUR 010 (J.A.F.). Motion carried unanimously.

DLSC Attorney Kim Kluck

Proposed Stipulations, Final Decisions and Orders

MOTION: Luann Skarlupka 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 060 (B.N.B.)
2. 14 NUR 167 (R.J.S.)
3. 14 NUR 290 (S.C.S.)
4. 14 NUR 307 (J.M.K.)
5. 14 NUR 395 (D.J.H.)
6. 14 NUR 498 (J.L.N.)
7. 14 NUR 530 (S.L.W.)
8. 14 NUR 592 (L.K.S.)
9. 14 NUR 642 (M.K.H.)
10. 14 NUR 693 (J.L.H.)
11. 15 NUR 008 (C.D.J.)
12. 15 NUR 011 (D.C.B.)
13. 15 NUR 059 (T.J.S.)

Motion carried unanimously.

Administrative Warnings

14 NUR 710 – P.E.K.

MOTION: Cheryl Streeter moved, seconded by Maria Joseph, to issue an Administrative Warning in the matter of 14 NUR 710 (P.E.K.). Motion carried unanimously.

15 NUR 053 – A.M.N.

MOTION: Cheryl Streeter moved, seconded by Maria Joseph, to issue an Administrative Warning in the matter of 15 NUR 053 (A.M.N.). Motion carried unanimously.

Case Closures

MOTION: Sheryl Krause moved, seconded by Paul Abegglen, to close the DLSC cases for the reasons outlined below:

1. 15 NUR 004 – Prosecutorial Discretion (P2)
2. 14 NUR 652 – No Violation (NV)
3. 14 NUR 408 – No Violation (NV)
4. 14 NUR 642 (M.C.) – No Violation (NV)
5. 14 NUR 709 – No Violation (NV)
6. 14 NUR 495 – Insufficient Evidence (IE)
7. 14 NUR 662 – Prosecutorial Discretion (P7)
8. 14 NUR 265 – Insufficient Evidence (IE)
9. 14 NUR 503 – No Violation (NV)
10. 15 NUR 126 – Insufficient Evidence (IE)

Motion carried unanimously.

Monitoring

Annette Malcomson, R.N. - Requesting Modification

MOTION: Lillian Nolan moved, seconded by Peter Kallio, to deny the request of Annette Malcomson, R.N. for the ability to work with access to controlled substances.

Reason for Denial: Failure to comply with Board Order. Respondent needs to work under the complete terms and conditions of the original Board Order (06/02/2011). Motion carried unanimously.

Samantha (Bader) Schlesner, R.N. – Requesting Modifications

MOTION: Peter Kallio moved, seconded by Maria Joseph, to grant the request of Samantha (Bader) Schlesner, R.N. for the ability to work with access to controlled substances, termination of direct supervision requirement, and the ability to work in home-health, hospice, pool nursing and/or an agency setting. The Board denies the request of Samantha (Bader) Schlesner, R.N. for termination of treatment. **Reason for Denial:** Applicant needs to practice nursing under the current conditions before the Board will consider amending the other limitations. All other terms of Board Order (12/03/2009) not otherwise modified remain in effect. Motion carried unanimously.

DELIBERATION OF CREDENTIALING MATTERS

Joni Eberhardy – Conviction Review

MOTION: Paul Abegglen moved, seconded by Peter Kallio, to request DSPS staff to inquire of Joni Eberhardy to submit documentation from her current therapist with respect to AODA issues, mental health issues, and fitness to practice as a nurse. Motion carried unanimously.

Ketura Wanless – Conviction Review

MOTION: Cheryl Streeter moved, seconded by Luann Skarlupka, to issue an intent to deny the Registered Nurse application of Ketura Wanless. **Reason for Intent to Deny:** Denial of full licensure per Wis. Stat. 441.07(1g). Motion carried unanimously.

BOARD MEETING PROCESS (TIME ALLOCATION, AGENDA ITEMS)

MOTION: Luann Skarlupka moved, seconded by Sheryl Krause, to cancel the Board of Nursing meeting scheduled for August 13, 2015. Motion carried unanimously.

ADJOURNMENT

MOTION: Luann Skarlupka moved, seconded by Maria Joseph, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:16 a.m.