

**BOARD OF NURSING
MEETING MINUTES
May 14, 2015**

PRESENT: Peter Kallio, Sheryl Krause, Jeffrey Miller, Lillian Nolan, Luann Skarlupka, Cheryl Streeter

EXCUSED: Paul Abegglen, Julie Ellis, Maria Joseph

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 was confirmed.

ADOPTION OF THE AGENDA

Amendments to the Agenda:

- *Under K. Remove Item “APPEARANCE – Review of Administrative Warning (WARN00000284)(DLSC case #14 NUR 601 – S.A.P.)”*
- *Under L.2)b. Administrative Warnings: Item “3.15 NUR 016 (A.R.G.)” corrected to read “3.15 NUR 106 (A.R.G.)”*
- *Under L.3)a. Proposed Stipulations, Final Decisions and Orders: Add Item “5.13 NUR 716 (P.J.R.)”*

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

APPROVAL OF MINUTES OF APRIL 9, 2015

MOTION: Cheryl Streeter moved, seconded by Peter Kallio, to approve the minutes of April 9, 2015 as published. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

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

MOTION: Luann Skarlupka moved, seconded by Lillian Nolan, to acknowledge and thank Linda Krueger, EdD, RN, MSN, Dean of Nursing for Bryant and Stratton College, for her appearance before the Board. Motion carried unanimously.

MOTION: Cheryl Streeter moved, seconded by Peter Kallio, to approve the request of Bryant and Stratton College for authorization to admit students to a nursing school (PN). Motion carried unanimously.

NCLEX Pass Rate Analysis and Plan for Improvement of First Time Test Taker Rates

Herzing University – Brookfield/Kenosha

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to acknowledge and thank Brenda Kutzke from Herzing University – Brookfield/Kenosha, for her appearance before the Board. Motion carried unanimously.

Herzing University – Madison

MOTION: Sheryl Krause moved, seconded by Lillian Nolan, to acknowledge and thank Beth Markham from Herzing University – Madison, for her appearance before the Board. Motion carried unanimously.

Rasmussen College – Green Bay

MOTION: Peter Kallio moved, seconded by Lillian Nolan, to acknowledge and thank Cheryl Anema and Dawn Boettcher from Rasmussen College, for their appearance before the Board. Motion carried unanimously.

MOTION: Peter Kallio moved, seconded by Sheryl Krause, to approve the NCLEX pass rate analysis and plan for improvement of first time test taker rates for Rasmussen College-Green Bay. Motion carried unanimously.

Rasmussen College – Wausau

MOTION: Peter Kallio moved, seconded by Lillian Nolan, to acknowledge and thank Cheryl Anema and Dawn Boettcher from Rasmussen College, for their appearance before the Board. Motion carried unanimously.

Wisconsin Indianhead Technical College

MOTION: Luann Skarlupka moved, seconded by Lillian Nolan, to acknowledge receipt of NCLEX pass rate analysis and plan for improvement of first time test taker rates for Wisconsin Indianhead Technical College. Motion carried unanimously.

Status of Updates to Board of Nursing Forms and Website Pages

MOTION: Lillian Nolan moved, seconded by Peter Kallio, to acknowledge and thank Jill Remy from DSPS Education and Exams Office for her update on Board of Nursing forms and website pages and her appearance before the Board. The Board also acknowledges her service to the Board as this is her last Board meeting. Motion carried unanimously.

REVIEW OF SPRING NEWSLETTER DRAFT

MOTION: Luann Skarlupka moved, seconded by Sheryl Krause, to approve the Spring 2015 BON Newsletter draft as amended and to request distribution by no later than May 22, 2015. Motion carried unanimously.

CLOSED SESSION

MOTION: Luann Skarlupka moved, seconded by Lillian Nolan, 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: 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 9:18 a.m.

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 11:47 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

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

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Monitoring Matters

APPEARANCE - Jill Bauknecht, R.N. – Requesting Full Licensure

MOTION: Cheryl Streeter moved, seconded by Peter Kallio, to grant the request of Jill Bauknecht, R.N. for full licensure. Motion carried unanimously.

Matthew Elliot, R.N. – Requesting Modifications

MOTION: Sheryl Krause moved, seconded by Lillian Nolan, to grant the request of Matthew Elliot, R.N. for Reduction of drug and alcohol tests to 28 per year plus one annual hair and termination of treatment requirements. The Board denies the request of Matthew Elliot, R.N. for access to controlled substances and reduction in the length of the Order. **Reason for Denial:** Insufficient time under the Board Order (03/14/2013) to demonstrate adequate compliance. Motion carried unanimously.

Sue Schindler, R.N. – Requesting Modifications

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to grant the request of Sue Schindler for reduction of drug and alcohol tests to 28 per year and one annual hair. The Board denies the request of Sue Schindler for termination of work reports. **Reason for Denial:** Applicant needs to practice nursing under the current conditions of the Board Order (07/19/2012) before the Board will consider amending other requirements. Motion carried unanimously.

Susan St. Catherine, L.P.N. – Requesting Full Licensure

MOTION: Cheryl Streeter moved, seconded by Lillian Nolan, to grant the request of Susan St. Catherine, L.P.N. for full licensure. Motion carried unanimously.

Laura Wood, R.N. - Requesting Modification and Extension of Deadline to Pay Costs

MOTION: Luann Skarlupka moved, seconded by Cheryl Streeter, to grant the request of Laura Wood, R.N. for reduction in drug and alcohol tests to 28 per year and one annual hair and an extension of deadline to pay costs to November 30, 2015. Motion carried unanimously.

DLSC Attorney Amanda Florek

Proposed Stipulations, Final Decisions and Orders

MOTION: Sheryl Krause moved, seconded by Cheryl Streeter, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 14 NUR 538 (A.L.Z.)
2. 14 NUR 612 (L.M.M.)
3. 14 NUR 624 (A.R.U.)
4. 14 NUR 655 (M.L.L.)
5. 14 NUR 670 (J.L.F.)
6. 15 NUR 042 (V.R.W.)
7. 15 NUR 052 (A.E.T.)
8. 15 NUR 081 (A.F.K.)
9. 15 NUR 091 (C.A.M.)

Motion carried unanimously.

Administrative Warnings

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to issue an Administrative Warning in the following matters:

1. 14 NUR 696 (K.A.D.Y.F.)
2. 15 NUR 005 (C.L.B.)
3. 15 NUR 106 (A.R.G.)

Motion carried unanimously.

DLSC Attorney Kim Kluck***Proposed Stipulations, Final Decisions and Orders***

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

1. 14 NUR 047 (J.J.H.)
2. 14 NUR 270 and 14 NUR 644 (H.M.G.)
3. 14 NUR 562 (J.L.S.)
4. 15 NUR 027 (G.R.P.)
5. 13NUR 716 (P.J.R.)

Motion carried unanimously.

Administrative Warnings

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to issue an Administrative Warning in the following matters:

1. 14 NUR 180 (V.M.P)
2. 14 NUR 643 (D.B.)
3. 14 NUR 643 (J.A.M.)
4. 15 NUR 118 (R.G.S.)

Motion carried unanimously.

15 NUR 142 – R.M.F.

MOTION: Cheryl Streeter moved, seconded by Sheryl Krause, to table the Administrative Warning in the matter of 15 NUR 142 (R.M.F.) until the next Board meeting. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Peter Kallio, to close the DLSC cases for the reasons outlined below:

1. 15NUR 136 – Insufficient Evidence (IE)
2. 14 NUR 668 – Prosecutorial Discretion (P7)
3. 15 NUR 014 – Insufficient Evidence (IE)
4. 14 NUR 726 – Insufficient Evidence (IE)
5. 15 NUR 037 – No Violation (NV)
6. 14 NUR 643 – (S.S.N.) No Violation (NV)
7. 14 NUR 657 – Prosecutorial Discretion (P2)
8. 15 NUR 175 – Prosecutorial Discretion (P7)
9. 15 NUR 157 – Prosecutorial Discretion (P2)
10. 14 NUR 733 – No Violation (NV)
11. 14 NUR 231 – Prosecutorial Discretion (P2)
12. 14 NUR 230 – Insufficient Evidence (IE)
13. 15 NUR 132 – No Violation (NV)
14. 14 NUR 674 – Prosecutorial Discretion (P5 – flag)
15. 14 NUR 296 – Insufficient Evidence (IE)
16. 14 NUR 014 – Insufficient Evidence (IE)

Motion carried unanimously.

DELIBERATION OF CREDENTIALING MATTERS

Joni Eberhardy – Conviction Re-review

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to table the decision on the Registered Nurse application of Joni Eberhardy, pending receipt of additional information. Motion carried unanimously.

Jennifer Byrne – Reinstatement Review

MOTION: Sheryl Krause moved, seconded by Lillian Nolan, to deny the Licensed Practical Nurse application of Jennifer Byrne, for **Reason for Denial:** Denial of full licensure per Wis. Stat. 441.07(1g)(b) and Wis. Admin. Code § N 7.03(1)(g). Motion carried unanimously.

ORDER FIXING COSTS

Carrie Pietrasik-Dewey, R.N. (ORDER0003362)(DHS case # SPS-14-0071)(DLSC case # 14 NUR 117)

MOTION: Peter Kallio moved, seconded by Sheryl Krause, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Carrie Pietrasik-Dewey, R.N. (ORDER0003362)(DHS case # SPS-14-0071)(DLSC case # 14 NUR 117). Motion carried unanimously.

ADJOURNMENT

MOTION: Peter Kallio moved, seconded by Sheryl Krause, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:52 a.m.