

**BOARD OF NURSING  
MEETING MINUTES  
July 9, 2015**

**PRESENT:** Paul Abegglen, Jodi Johnson, Maria Joseph, Peter Kallio, Sheryl Krause, 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 8:03 a.m. A quorum of nine (9) members was confirmed.

**ADOPTION OF THE AGENDA**

**MOTION:** Sheryl Krause moved, seconded by Luann Skarlupka, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF JUNE 11, 2015**

**MOTION:** Peter Kallio moved, seconded by Maria Joseph, to approve the minutes of June 11, 2015 as published. Motion carried unanimously.

**PUBLIC HEARING ON PROPOSED NURSE LICENSURE COMPACT**

**MOTION:** Peter Kallio moved, seconded by Luann Skarlupka, to acknowledge and thank Gina Dennik-Champion from the Wisconsin Nurses Association for her appearance before the Board. Motion carried unanimously.

**MOTION:** Luann Skarlupka moved, seconded by Maria Joseph, to acknowledge and thank Steve Rush from the Wisconsin Hospital Association for his appearance before the Board. Motion carried unanimously.

**MOTION:** Luann Skarlupka moved, seconded by Peter Kallio, to acknowledge and thank Debra Jenks from the MSOE School of Nursing for her appearance before the Board. Motion carried unanimously.

**MOTION:** Luann Skarlupka moved, seconded by Maria Joseph, to acknowledge and thank Elizabeth Markham from Herzing University for her appearance before the Board. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Appointment of Liaisons and Screening Panel**

<b>2015 LIAISON APPOINTMENTS</b>	
<b>Board Practice Liaison(s)</b>	Paul Abegglen <i>Alternate: Sheryl Krause</i>
<b>Board Education Liaison(s)</b>	Sheryl Krause <i>Alternate: Jodi Johnson</i>
<b>DLSC Liaison (PAP)</b>	Jeffrey Miller <i>Alternate: Cheryl Streeter</i>
<b>DLSC Liaison (Monitoring)</b>	Paul Abegglen <i>Alternate: Jeffrey Miller</i>
<b>Credentialing Liaison</b>	Paul Abegglen <i>Alternate: Peter Kallio</i>
<b>Legislative Liaison</b>	Jeffrey Miller
<b>Newsletter Liaison</b>	Lillian Nolan

<b>2015 SCREENING PANEL APPOINTMENTS</b>	
<b>August 2015-January 2016</b>	Jodi Johnson, Lillian Nolan, Paul Abegglen,

**MOTION:** Maria Joseph moved, seconded by Luann Skarlupka, to acknowledge the Chair’s appointment of Liaisons and Screening Panel members. Motion carried unanimously.

## **EDUCATION AND EXAMINATION MATTERS**

### **Americare School of Nursing Request for Authorization to Plan**

**MOTION:** Cheryl Streeter moved, seconded by Jodi Johnson, to approve the request of Americare School of Nursing for authorization to plan a Nursing School. Motion carried unanimously.

## **LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS**

### **Draft of N 7 Relating of Grounds for Denying a Credential**

**MOTION:** Peter Kallio moved, seconded by Jodi Johnson, to authorize the Chair to approve the revision of N 7 relating to grounds for denying a credential for posting of economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

### **Scope N 8 Relating to Pharmacology Hours, CE and Prescribing for Treatment of ADD/ADHD**

**MOTION:** Paul Abegglen moved, seconded by Maria Joseph, to approve the amended Scope Statement on N 8 relating to Pharmacology hours, continuing education (CE) and prescribing for treatment of attention deficit disorder (ADD) and attention deficit hyperactivity disorder (ADHD) for submission to the Governor's Office and publication, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

## **PRESENTATION ON PETITION FOR SUMMARY SUSPENSION AND ORDER FOR DESIGNATION OF HEARING OFFICIAL**

### **15 NUR 276 – Nicole A. Hunt, R.N.**

*(Jeffrey Miller recused himself and left the room for the presentation on the matter concerning Nicole A. Hunt, R.N., Respondent, DLSC case number 15 NUR 276.)*

## **CLOSED SESSION**

**MOTION:** Luann Skarlupka 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; Jodi Johnson-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 9:29 a.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Lillian Nolan moved, seconded by Maria Joseph, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 1:32 p.m.

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

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

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

**Monitoring Matters**

*APPEARANCE – Jill Gustafson, R.N. – Requesting Full Licensure*

**MOTION:** Cheryl Streeter moved, seconded by Lillian Nolan, to deny the request of Jill Gustafson, R.N. for full licensure. **Reason for Denial:** Failure to demonstrate continuous and successful compliance (i.e. Check-Ins and Screens). Respondent needs to fully comply with the complete terms and conditions of the original Board Order (05/06/2010). Motion carried unanimously.

*Cassandra Conrath Bellin, R.N. – Requesting Modifications*

**MOTION:** Sheryl Krause moved, seconded by Lillian Nolan, to deny the request of Cassandra Conrath Bellin, R.N. for a reduction in AA/NA meetings, a reduction of drug and alcohol tests, and access to controlled substances. **Reason for Denial:** Failure to demonstrate continuous and successful compliance under the terms of the Board Order (01/26/2012). Motion carried unanimously.

*Christine Hamilton, R.N. – Requesting Modifications*

**MOTION:** Lillian Nolan moved, seconded by Sheryl Krause, to grant the request of Christine Hamilton, R.N. for reduction of drug tests to 14 per year and one annual hair test. Motion carried unanimously.

*Julie Harley, L.P.N. – Requesting Modifications*

**MOTION:** Peter Kallio moved, seconded by Paul Abegglen, to deny the request of Julie Harley, L.P.N. for reduction of drug and alcohol tests. **Reason for Denial:** Failure to demonstrate continuous and successful compliance. Respondent needs to fully comply with the complete terms and conditions of the original Board Order (12/19/2013). Motion carried unanimously.

***Kristin Hewitt, R.N. – Request to Accept Surrender***

**MOTION:** Lillian Nolan moved, seconded by Peter Kallio, to table the request of Kristin Hewitt, R.N for the surrender of her Registered Nurse License. Motion carried unanimously.

***Nick Kanetzke, R.N. – Requesting Modifications***

**MOTION:** Peter Kallio moved, seconded by Sheryl Krause, to grant the request of Nick Kanetzke, R.N. for reduction of drug and alcohol tests to 26 per year and one annual hair. Motion carried unanimously.

***Patricia Pokallus, R.N. – Requesting Modifications***

**MOTION:** Luann Skarlupka moved, seconded by Cheryl Streeter, to deny the request of Patricia Pokallus, R.N. for a reduction of drug and alcohol tests and access to controlled substances. **Reason for Denial:** Failure to demonstrate continuous and successful compliance under the terms of the board Order (05/09/2013). Motion carried unanimously.

***Kathleen Preston, L.P.N. – Requesting Modifications***

**MOTION:** Sheryl Krause moved, seconded by Cheryl Streeter, to grant the request of Kathleen Preston, L.P.N. for a reduction of drug and alcohol tests to 10 per year and one annual hair test and a reduction in AA/NA meetings to once per week. Motion carried unanimously.

**DLSC Attorney Amanda Florek**

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

**MOTION:** Peter Kallio 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 382 (L.A.B.)
2. 14 NUR 640 (T.H.A.)
3. 15 NUR 023 (T.C.M.)
4. 15 NUR 083 (A.J.G.)
5. 15 NUR 208 (J.L.T.)
6. 15 NUR 223 (J.C.A.)

Motion carried unanimously.

***Administrative Warnings***

***15NUR 170– H.B.D.G.***

**MOTION:** Paul Abegglen moved, seconded by Sheryl Krause, to issue an Administrative Warning in the matter of 15 NUR 170 (H.B.D.G.). Motion carried unanimously.

**DLSC Attorney Kim Kluck**

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

**MOTION:** Cheryl Streeter moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 13 NUR 422 (A.J.B.)
2. 14 NUR 152 (J.A.J.)
3. 14 NUR 191 (L.S.)
4. 14 NUR 279 (S.M.K.)
5. 14 NUR 421 (N.L.D.)
6. 14 NUR 568 (B.J.M.)
7. 15 NUR 135 (S.M.C.)
8. 15 NUR 139 (T.M.S.)
9. 15 NUR 161 (M.L.G.)
10. 15 NUR 212 (V.M.M.)

Motion carried unanimously.

**Case Closures**

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

1. 15 NUR 281 – Prosecutorial Discretion (P7)
2. 15 NUR 307 – Insufficient Evidence (IE)
3. 15 NUR 240 – Prosecutorial Discretion (P2)
4. 14 NUR 496 – Insufficient Evidence (IE)
5. 15 NUR 230 – Prosecutorial Discretion (P2)
6. 13 NUR 534 – Insufficient Evidence (IE)
7. 14 NUR 344 – Prosecutorial Discretion (P3)
8. 15 NUR 123 – No Violation (NV)
9. 14 NUR 526 – Insufficient Evidence (IE)
10. 14 NUR 505 – Insufficient Evidence (IE)
11. 15 NUR 090 – Prosecutorial Discretion (P5-Flag)
12. 14 NUR 735 – Insufficient Evidence (IE)
13. 14 NUR 232 – Prosecutorial Discretion (P2)

Motion carried unanimously.

**DELIBERATION ON PETITION FOR SUMMARY SUSPENSION AND ORDER FOR DESIGNATION OF HEARING OFFICIAL**

**15 NUR 276 – Nicole A. Hunt, R.N.**

**MOTION:** Cheryl Streeter moved, seconded by Peter Kallio, to find that notice was given to Nicole A. Hunt, R.N., Respondent, DLSC case number 15 NUR 276, of the Summary Suspension proceedings pursuant to Wis. Admin. Code §§ SPS 6.05 and 6.06. Motion carried. Recused: Jeffrey Miller

**MOTION:** Cheryl Streeter moved, seconded by Peter Kallio, to find probable cause to believe that Nicole A. Hunt, R.N., Respondent, has engaged in or is likely to engage in conduct such that the public health, safety, or welfare imperatively requires emergency suspension of the Respondent's license and to issue the Order of Summary Suspension in the matter of disciplinary proceedings against Respondent, DLSC case number 15 NUR 276, pursuant to Wis. Admin Code § 6.06. Motion carried. Recused: Jeffrey Miller

**MOTION:** Cheryl Streeter moved, seconded by Peter Kallio, to designate a Hearing Official for any hearing to show cause in the matter of the Summary Suspension of Nicole A. Hunt, R.N., Respondent, DLSC case number 15 NUR 276, pursuant to Wis. Admin. Code §§ SPS 6.09 and 6.11. Motion carried. Recused: Jeffrey Miller

**MOTION:** Cheryl Streeter moved, seconded by Peter Kallio, to authorize the Vice Chair as having the authority to act on behalf of the Board to review, approve, and sign the Summary Suspension Order and Order Designating Hearing Official in the matter of the Summary Suspension of Nicole A. Hunt, R.N., Respondent, DLSC case number 15 NUR 276. Motion carried. Recused: Jeffrey Miller

*(Jeffrey Miller recused himself and left the room for deliberation, and voting in the matter concerning Nicole A. Hunt, R.N., Respondent, DLSC case number 15 NUR 276.)*

#### **PROPOSED FINAL DECISION(S) AND ORDER(S)**

##### **Catherine Stuempges, R.N. (DHA Case # SPS-15-0037)(DLSC Case # 14 NUR 407)**

**MOTION:** Paul Abegglen moved, seconded by Luann Skarlupka, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Catherine Stuempges, R.N., Respondent (DHA Case # SPS-15-0037)(DLSC Case # 14 NUR 407). Motion carried. Recused: Jeffrey Miller

*(Jeffrey Miller recused himself and left the room for deliberation, and voting in the matter concerning Catherine Stuempges, R.N., Respondent (DHA Case # SPS-15-0037)(DLSC Case # 14 NUR 407).)*

##### **Terri S. Gratz, R.N. (DHA Case # SPS-15-0038)(DLSC Case # 13 NUR 548)**

**MOTION:** Lillian Nolan 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 Terri S. Gratz, R.N., Respondent (DHA Case # SPS-15-0038)(DLSC Case # 13 NUR 548). Motion carried. Recused: Jeffrey Miller

*(Jeffrey Miller recused himself and left the room for deliberation, and voting in the matter concerning Terri S. Gratz, R.N., Respondent (DHA Case # SPS-15-0038)(DLSC Case # 13 NUR 548).)*

**ORDER FIXING COSTS**

**Eric L. Nielsen, R.N. (ORDER0003901)(DHA Case # SPS-14-0047)(DLSC Case # 12 NUR 368)**

**MOTION:** Peter Kallio moved, seconded by Luann Skarlupka, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Eric L. Nielsen, R.N. (ORDER0003901)(DHA Case # SPS-14-0047)(DLSC Case # 12 NUR 368). Motion carried unanimously.

**DELIBERATION OF CREDENTIALING MATTERS**

**Nicole Clark – Conviction Review**

**MOTION:** Cheryl Streeter moved, seconded by Peter Kallio, to issue an intent to deny the Registered Nurse application of Nicole Clark. **Reason for Intent to Deny:** Denial of full licensure per Wis. Stat. § 441.07 and Wis. Admin. Code § N 2.10(1)(b). Motion carried unanimously.

**Stacy Rutsch – Conviction Review**

**MOTION:** Luann Skarlupka moved, seconded by Cheryl Streeter, to deny the Registered Nurse application of Stacy Rutsch, for **Reason for Denial:** Denial of full licensure per Wis. Stat. § 441.07 and Wis. Admin. Code §N 2.10(1)(b). Motion carried unanimously.

**Christal Shaut – Discipline and Conviction Review**

**MOTION:** Sheryl Krause moved, seconded by Luann Skarlupka, to deny the Licensed Practical Nurse application of Christal Shaut, for **Reason for Denial:** Failure to comply with the Board Order (6/04/2009). Denial of full licensure per Wis. Stat. §§ 441.07 and 440.22(3) and Wis. Admin. Code §N 7.03(1)(g). Motion carried unanimously.

**ADJOURNMENT**

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

The meeting adjourned at 1:48 p.m.