

**BOARD OF NURSING
MEETING MINUTES
August 13, 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 8:01 a.m. A quorum was confirmed.

ADOPTION OF THE AGENDA

Amendments to the Agenda

- *Under I.3)a.: Add Item "7. 14 NUR 575 (M.C.B.)"*

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

APPROVAL OF MINUTES OF JULY 9, 2015

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to approve the minutes of July 9, 2015 as published. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

Silver Lake College of the Holy Family Request for Authorization to Plan a School of Nursing

MOTION: Sheryl Krause moved, seconded by Peter Kallio, to acknowledge and thank Brianna Neuser from Silver Lake College of the Holy Family for her appearance before the Board. Motion carried unanimously.

MOTION: Sheryl Krause moved, seconded by Luann Skarlupka, to approve the request of Silver Lake College of the Holy Family for authorization to plan a School of Nursing. Motion carried unanimously.

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS

Update on Legislation and Pending or Possible Rulemaking Projects

MOTION: Paul Abegglen moved, seconded by Jodi Johnson, to designate the Chair to approve the Scope Statement on N 3 relating to Examining Councils 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.

CLOSED SESSION

MOTION: Maria Joseph 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 8:27 a.m.

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 11:42 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

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

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**Monitoring*****APPEARANCE – Laura Manriquez, L.P.N. – Requesting Modifications***

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to grant Laura Manriquez full licensure as a Licensed Practical Nurse. Motion carried unanimously.

Karen Costigan, R.N. – Requesting Modification

MOTION: Cheryl Streeter moved, seconded by Jodi Johnson, to deny the request of Karen Costigan for a reduction in drug and alcohol screens. **Reason for Denial:** Failure to demonstrate continuous and successful compliance under the terms of the Board Order (05/08/2012). Per the Board Order, Respondent may only petition the Board once per year. Motion carried unanimously.

Vyacheslav Dubrovsky, R.N. – Requesting Interruption in Testing

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to grant the request of Vyacheslav Dubrovsky, R.N. for an interruption in testing starting 01/05/16. Drug and alcohol testing shall resume on 01/17/16 at 14 tests per year and one annual hair. Motion carried unanimously.

Daniel Peters, R.N. – Requesting Full Licensure

MOTION: Lillian Nolan moved, seconded by Maria Joseph, to grant the request of Daniel Peters, R.N. for full licensure. Motion carried.

Kristin Hewitt, R.N. – Request to Surrender License

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to grant the request of Kristin Hewitt, R.N. for surrender of her Registered Nurse license. Motion carried unanimously.

DLSC Attorney Amanda Florek

Proposed Stipulations, Final Decisions and Orders

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

1. 14 NUR 249 (S.A.J.)
2. 14 NUR 490 (S.L.L.)
3. 15 NUR 089 (J.A.D.)
4. 15 NUR 190 (M.J.D.)
5. 15 NUR 229 (N.A.K.)
6. 15 NUR 269 (S.L.H.)

Motion carried unanimously.

DLSC Attorney Kim Kluck

Proposed Stipulations, Final Decisions and Orders

MOTION: Cheryl Streeter 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 025 (S.N.S.)
2. 14 NUR 446 (J.B.F.)
3. 15 NUR 029 (M.G.V.)
4. 15 NUR 069 (L.L.)
5. 15 NUR 278 (A.L.W.)
6. 15 NUR 285 (L.A.D.)

Motion carried unanimously.

15 NUR 575 – M.C.B.

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 Mae C. Bynum, R.N., DLSC case number 14 NUR 575. Motion carried unanimously.

Case Closures

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

1. 15 NUR 167 – Insufficient Evidence (IE)
2. 15 NUR 334 – Lack of Jurisdiction (L2)
3. 14 NUR 292 – No Violation (NV)
4. 15 NUR 177 – Insufficient Evidence (IE)

5. 15 NUR 250 – Insufficient Evidence (IE)
6. 14 NUR 229 – Prosecutorial Discretion (P2)
7. 14 NUR 446 (V.L.C.) – No Violation (NV)
8. 15 NUR 227 – Prosecutorial Discretion (P2)

Motion carried unanimously.

PROPOSED FINAL DECISION(S) AND ORDER(S)

Nickea Connolly, R.N., Respondent (DHA case # SPS-15-0021)(DLSC case # 14 NUR 196)

MOTION: Peter Kallio 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 Nickea Connolly, R.N., Respondent (DHA case # SPS-15-0021)(DLSC case # 14 NUR 196), with the following variance. The Board finds that it is appropriate for the Respondent to pay 100 percent of the cost of this investigation and proceedings. Motion carried. Recused: Lillian Nolan

(Lillian Nolan recused herself and left the room for deliberation, and voting in the matter concerning Nickea Connolly, R.N., Respondent (DHA case # SPS-15-0021)(DLSC case # 14 NUR 196).)

Frederick B. Gilhams, R.N., Respondent (DHA case # SPS-15-0046)(DLSC case # 13 NUR 128)

MOTION: Cheryl Streeter moved, seconded by Jodi Johnson, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Frederick B. Gilhams, R.N., Respondent (DHA case # SPS-15-0046)(DLSC case # 13 NUR 128). Motion carried unanimously.

Kristine P. Roseki, L.P.N., Respondent (DHA case # SPS-15-0016)(DLSC case # 14 NUR 049)

MOTION: Peter Kallio 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 Kristine P. Roseki, L.P.N., Respondent (DHA case # SPS-15-0016)(DLSC case # 14 NUR 049), with the following variance. The Board finds that it is appropriate for the Respondent to pay 100 percent of the cost of this investigation and proceedings. Motion carried unanimously.

ORDER(S) FIXING COSTS

Nancy Brenden, R.N., Respondent (ORDER0004108)(DHA Case # SPS-14-0085)(DLSC Case # 14 NUR 003)

MOTION: Paul Abegglen moved, seconded by Sheryl Krause, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Nancy Brenden, R.N., Respondent (ORDER0004108)(DHA Case # SPS-14-0085)(DLSC Case # 14 NUR 003). Motion carried unanimously.

Terri S. Gratz, R.N., Respondent (ORDER0004132)(DHA Case # SPS-15-0038)(DLSC Case # 13 NUR 548)

MOTION: Paul Abegglen moved, seconded by Sheryl Krause, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Terri S. Gratz, R.N., Respondent (ORDER0004132)(DHA Case # SPS-15-0038)(DLSC Case # 13 NUR 548). Motion carried unanimously.

Cheryl Smokowicz Salceda, R.N., Respondent (ORDER0003025)(DHA Case # SPS-12-0079)(DLSC Case #10 NUR 239)

MOTION: Paul Abegglen moved, seconded by Sheryl Krause, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Cheryl Smokowicz Salceda, R.N., Respondent (ORDER0003025)(DHA Case # SPS-12-0079)(DLSC Case #10 NUR 239). Motion carried unanimously.

Catherine Stuempges, R.N., Respondent (ORDER0004142)(DHA Case # SPS-15-0037)(DLSC Case # 14 NUR 407)

MOTION: Paul Abegglen moved, seconded by Sheryl Krause, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Catherine Stuempges, R.N., Respondent (ORDER0004142)(DHA Case # SPS-15-0037)(DLSC Case # 14 NUR 407). Motion carried unanimously.

DELIBERATION OF CREDENTIALING MATTERS

Philip Jacobs – Termination Review

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to table the Registered Nurse application of Philip Jacobs. Motion carried unanimously.

Andrew Mittag – Conviction Review

MOTION: Maria Joseph moved, seconded by Sheryl Krause, to table the Registered Nurse application of Andrew Mittag. Motion carried unanimously.

Cherilyn Mooney – Discipline Review

MOTION: Peter Kallio moved, seconded by Maria Joseph, to issue an intent to deny the Registered Nurse application of Cherilyn Mooney. **Reason for Intent to Deny:** Denial of full licensure per Wis. Stat. § 441.07(1g) and Wis. Admin. Code § N 7.03 (1)(b). Motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 11:50 a.m.