

**BOARD OF NURSING
MEETING MINUTES
MAY 12, 2016**

PRESENT: Paul Abegglen (*joined the meeting at 8:03 a.m.*), Peter Kallio, Jodi Johnson, Maria Joseph (*joined the meeting at 8:06 a.m.*), Sheryl Krause, Jeffrey Miller, Lillian Nolan, Luann Skarlupka, Cheryl Streeter

STAFF: Dan Williams, Executive Director; Nilajah Hardin, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Jeffrey Miller called the meeting to order at 8:02 a.m. A quorum was confirmed.

ADOPTION OF THE AGENDA

Paul Abegglen joined the meeting at 8:03 a.m.

MOTION: Peter Kallio moved, seconded by Sheryl Krause, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 14, 2016

MOTION: Cheryl Streeter moved, seconded by Luann Skarlupka, to approve the minutes of April 14, 2016 as published. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

Maria Joseph Joined The Meeting At 8:06 A.M.

Analysis of NCLEX Pass Rates and Plan of Remediation

Cardinal Stritch University

MOTION: Luann Skarlupka moved, seconded by Sheryl Krause, to acknowledge and thank Kathy Van Eerden and Lori Stutte from Cardinal Stritch University for their appearance before the Board. Motion carried unanimously.

MOTION: Luann Skarlupka moved, seconded by Cheryl Streeter, to acknowledge receipt of Cardinal Stritch University's plan to meet the NCLEX first time taker pass rate standards. Motion carried unanimously.

Marquette University

MOTION: Peter Kallio moved, seconded by Sheryl Krause, to acknowledge and thank Kerry Kosmoski-Goepfert and Madeline Schmidt from Marquette University for their appearance before the Board. Motion carried unanimously.

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to acknowledge receipt of Marquette University's plan to meet the NCLEX first time taker pass rate standards. Motion carried unanimously.

Rasmussen College-Green Bay

MOTION: Luann Skarlupka moved, seconded by Sheryl Krause, to acknowledge and thank Tammie Rogers from Rasmussen College-Green Bay for her appearance before the Board. Motion carried unanimously.

MOTION: Sheryl Krause moved, seconded by Luann Skarlupka, to acknowledge receipt of Rasmussen College-Green Bay's plan to meet the NCLEX first time taker pass rate standards. Motion carried unanimously.

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS**Post Licensure Schools of Nursing Approval**

MOTION: Lillian Nolan moved, seconded by Jodi Johnson, that the Board defers making approval decisions until rules are promulgated for the following types of schools of nursing:

1. Schools offering graduate programs with the following exception: programs preparing students for Registered Nurse licensure need to meet current N 1 standards
2. Bachelors of Science in Nursing (BSN) completion programs

The Board also recognizes that these schools will continue to operate in the state of Wisconsin while N 1 is being amended. Motion carried unanimously.

Scope Amending N 1 Relating to Schools of Nursing

MOTION: Sheryl Krause moved, seconded by Lillian Nolan, to approve the Scope Statement on N1 relating to Schools of Nursing 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.

2016 BOARD REVIEW OF WEBSITE POSITION STATEMENTS

MOTION: Sheryl Krause moved, seconded by Cheryl Streeter, to remove Board of Nursing Position Statement "I am a Nurse Living Outside of Wisconsin (and also not in a Compact State). Do I Need a Wisconsin Nursing License to Provide Telephone Triage or Care Management to a Patient That Resides in Wisconsin?" from the DSPS website. Motion carried unanimously.

MOTION: Cheryl Streeter moved, seconded by Peter Kallio, to remove Board of Nursing Position Statement "Administration of Methadone by Licensed Practical Nurses" from the DSPS website. Motion carried unanimously.

MOTION: Jodi Johnson moved, seconded by Peter Kallio, to remove Board of Nursing Position Statement "I have a Complaint About my Nursing Program or Wish to Appeal an Academic Decision. Can the Board Nursing Respond to my Complaint?" from the DSPS website. Motion carried unanimously.

MOTION: Peter Kallio moved, seconded by Sheryl Krause, to remove Board of Nursing Position Statement "As an APNP, Does The Nurse Licensure Compact Cover Me?" from the DSPS website. Motion carried unanimously.

MOTION: Jodi Johnson moved, seconded by Maria Joseph, to remove Board of Nursing Position Statement “Position of The Wisconsin Board Of Nursing on APNP Verbal Orders” from the DSPS website. Motion carried unanimously.

MOTION: Sheryl Krause moved, seconded by Jodi Johnson, to remove Board of Nursing Position Statement “Does a Collaborating Physician Need to be Within a Certain Specialty (Advanced Practice Nurse Prescribers)?” from the DSPS website. Motion carried unanimously.

2015 DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) STATISTICS REPORT

MOTION: Cheryl Streeter moved, seconded by Peter Kallio, to acknowledge receipt of the 2015 Division of Legal Services and Compliance (DLSC) Statistics Report and request the next annual report by March 1, 2017. Motion carried unanimously.

MOTION: Peter Kallio moved, seconded by Jodi Johnson, to request DSPS staff to include in the 2016 Division of Legal Services and Compliance (DLSC) Statistics Report a five year statistical summary of all categories included on the report. Motion carried unanimously.

PUBLIC COMMENTS

MOTION: Peter Kallio moved, seconded by Sheryl Krause, to authorize the Chair to meet with DSPS Administration regarding the Professional Assistance Procedure (PAP). Motion carried unanimously.

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 9:39 a.m.

RECONVENE TO OPEN SESSION

MOTION: Peter Kallio moved, seconded by Jodi Johnson, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:04 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

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

APPEARANCE: ADMINISTRATIVE WARNING REVIEW**WARN00000500 - DLSC Case # 16 NUR 139 – K.M.**

MOTION: Lillian Nolan moved, seconded by Cheryl Streeter, to affirm the Administrative Warning in the matter of DLSC case number 16 NUR 139 (K.M.). Motion carried. Abstained:
Paul Abegglen

CREDENTIALING MATTERS**Danny Knutson – Discipline Review**

MOTION: Paul Abegglen moved, seconded by Luann Skarlupka, to issue an Intent to Deny the Registered Nurse application of Danny Knutson. **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.

Kristine Kohlmann – Conviction and Discipline Review

MOTION: Peter Kallio moved, seconded by Jodi Johnson, to deny the Registered Nurse application of Kristine Kohlmann. **Reason for Denial:** Denial of application for reinstatement for failure to comply with prior Board Orders and per Wis. Stat. § 441.07(1g) and Wis. Admin. Code § N 7.03. Motion carried unanimously.

Aaron Olson – Conviction Review

MOTION: Paul Abegglen moved, seconded by Peter Kallio, to offer Aaron Olson a Limited License. Should the applicant decline the offer, then the application is denied. **Reason for Denial:** Denial of full licensure per Wis. Stat. § 441.07(1g) and Wis. Admin. Code § N 7.03(2). Motion carried unanimously.

ORDER(S) FIXING COSTS**Kelly L. Kowalkowski, R.N., Respondent (ORDER00004613)(DHA case # SPS-15-0093)(DLSC case # 14 NUR 385 and 14 NUR 564)**

MOTION: Paul Abegglen moved, seconded by Lillian Nolan, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Kelly L. Kowalkowski, R.N., Respondent (ORDER00004613)(DHA case # SPS-15-0093)(DLSC case # 14 NUR 385 and 14 NUR 564). Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**Attorney Amanda Florek***Administrative Warnings**16 NUR 055 – K.E.A.*

MOTION: Peter Kallio moved, seconded by Cheryl Streeter, to issue an Administrative Warning in the matter of 16 NUR 055 (K.E.A.). Motion carried unanimously.

16 NUR 109 – A.M.M.

MOTION: Peter Kallio moved, seconded by Cheryl Streeter, to issue an Administrative Warning in the matter of 16 NUR 109 (A.M.M.). Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

15 NUR 654 – J.A.R.

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 Julie A. Reyes, L.P.N., DLSC case number 15 NUR654. Motion carried unanimously.

16 NUR 104 – L.B.W.

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 Laura B. Weber, R.N., DLSC case number 16 NUR 104. Motion carried unanimously.

Proposed Interim Orders

15 NUR 463 – R.J.M.

MOTION: Peter Kallio moved, seconded by Cheryl Streeter, to adopt the Findings of Fact, Conclusions of Law and Interim Order in the matter of disciplinary proceedings against Randy J. Magnus, DLSC case number 15 NUR 463. Motion carried. Recused: Jodi Johnson

(Jodi Johnson recused herself and left the room for deliberation, and voting in the matter concerning Randy J. Magnus, DLSC case number 15 NUR 463.)

DLSC Attorney Kim Kluck

Administrative Warnings

15 NUR 706 –K.J.L.

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to issue an Administrative Warning in the matter of 15 NUR 706 (K.J.L.). Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

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

1. 14 NUR 626 (B.L.K.)
2. 14 NUR 660 (C.D.L.)
3. 15 NUR 493 (C.R.C.)
4. 15 NUR 509 (T.M.B.)
5. 15 NUR 624 (M.E.A.)

Motion carried unanimously.

DLSC Attorney Jim Polewski***Proposed Stipulations, Final Decisions and Orders******16 NUR 118 – T.J.K.***

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 Tiffany J. Kneeland, R.N., DLSC case number 16 NUR 118. Motion carried unanimously.

Case Closures

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

1. 15 NUR 684 – Insufficient Evidence
 2. 15 NUR 678 – Prosecutorial Discretion (P5 - Flag)
 3. 15 NUR 584 - Prosecutorial Discretion (P5 - Flag)
 4. 15 NUR 538 - Prosecutorial Discretion (P5 - Flag)
 5. 15 NUR 319 - Prosecutorial Discretion (P5 - Flag)
 6. 15 NUR 545 – Prosecutorial Discretion (P2)
 7. 15 NUR 616 – Insufficient Evidence (IE)
 8. 16 NUR 014 - Prosecutorial Discretion (P2)
 9. 15 NUR 591 - Prosecutorial Discretion (P5 - Flag)
 10. 15 NUR 253 (A.O.) - Prosecutorial Discretion (P2)
- Motion carried unanimously.

Monitoring***Andrea Connelly, L.P.N. – Review of Fitness-for-Duty Evaluation***

MOTION: Peter Kallio moved, seconded by Jodi Johnson, to accept the Fitness-for-Duty Evaluation of Andrea Connelly, L.P.N. and add the following limitations to her Board Order (12/10/2015): ongoing care by a Board approved psychiatrist for medication management, cognitive behavioral therapy by a Board approved psychotherapist, quarterly treater reports, and a fitness-for-duty evaluation within one month prior to request for full licensure. Motion carried unanimously.

Randy Cornell, R.N. – Requesting Access to Controlled Substances

MOTION: Sheryl Krause moved, seconded by Cheryl Streeter, to deny the request of Randy Cornell, R.N. for access to controlled substances. **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 (7/22/2010). Motion carried unanimously.

Matthew Elliott, R.N. – Requesting Full Licensure or Modifications

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to **grant** the request of Matthew Elliott, R.N. for access to controlled substances. The Board **denies** the request of Matthew Elliott, R.N. for full licensure, ability to work in an agency or pool setting, a reduction in drug screens, and for a monitoring interruption. **Reason for Denial:** Respondent needs to practice nursing under the current conditions of the Board Order (03/14/2013) before the Board will consider amending other requirements. Motion carried unanimously.

Tammy Finley, R.N. – Requesting Reduction in Drug Screens

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to grant the request of Tammy Finley, R.N. for a reduction in drug screens to 14 and one annual hair test. Motion carried unanimously.

Nancy Ogden, R.N. – Requesting Full Licensure

MOTION: Cheryl Streeter moved, seconded by Maria Joseph, to grant the request of Nancy Ogden, R.N. for full licensure. Motion carried unanimously.

Sue Schindler, R.N. – Requesting Termination of Treatment and Work Reports

MOTION: Peter Kallio moved, seconded by Cheryl Streeter, to grant the request of Sue Schindler, R.N. for termination of treatment and work reports. Motion carried unanimously.

Adam Zlotocha, R.N. – Requesting Full Licensure

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

Deanna Matis – Requesting Stay of Suspension

MOTION: Paul Abegglen moved, seconded by Peter Kallio, to **table** the request of Deanna Matis, R.N. for a stay of suspension. Motion carried unanimously.

Hoepfner, R.N. and Beaber, R.N. – Board Discussion on Preapproval

MOTION: Peter Kallio moved, seconded by Jodi Johnson, courses that are approved by American Nurses Credentialing Center (ANCC) or sponsored by National Council of State Boards of Nursing (NCSBN) could be preapproved by the Department Monitor without contact with the Monitoring Liaison. Motion carried unanimously.

ADJOURNMENT

MOTION: Cheryl Streeter moved, seconded by Paul Abegglen, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:10 p.m.