

**BOARD OF NURSING
MEETING MINUTES
JULY 19, 2012**

PRESENT: Kay Coppens, Julie Ellis, Rachelle Lancaster, Gretchen Lowe, Julia Nelson, Lillian Nolan, Carol Ott

EXCUSED: Maria Joseph

STAFF: Dan Williams, Executive Director; Colleen Baird, Legal Counsel; Karen Rude-Evans, Bureau Assistant; Sharon Henes, Paralegal; and other Department Staff

GUESTS: Kathleen Kuznar, Chippewa Valley Technical College; William Hardnow and Gail Dolam, Rasmussen College; Jackie Graetz, Kelli Smith and Elizabeth Markham, Herzing College; Luann Theis and Lorraine Zaromski, Northwest Technical College; Laura Wieloch, Brenda Kutzke and Justin Hern, Deaconess School of Nursing; Julie Luetschlager and Katie Hughes, Marian University; Dennis Majeskie, Johnson and Johnson Services; Stacie Halweg, WNA, Edgewood College and VA Hospital

CALL TO ORDER

Gretchen Lowe, Vice Chair, called the meeting to order at 9:07 a.m. A quorum of seven (7) members was present.

ADOPTION OF AGENDA

MOTION: Rachelle Lancaster moved, seconded by Carol Ott, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 7, 2012

MOTION: Julia Nelson moved, seconded by Kay Coppens, to approve the minutes of June 7, 2012 as published. Motion carried unanimously.

SECRETARY MATTERS

None.

EXECUTIVE DIRECTOR MATTERS

Staff Updates

Kim Wood has been promoted to Program Assistant Supervisor.

Officer Elections

Officer elections will be held at the first meeting of the calendar year.

Receipt of Agenda Items

Agenda items should be received by the agenda deadline for inclusion on the agenda. Any late additions for open session must be received by the Board Services staff at least 24 hours before the start of the meeting to comply with the DSPS policy directive.

ELECTION OF CHAIR TO INCLUDE ELECTION OF OTHER BOARD OFFICERS AS NECESSARY

CHAIR

NOMINATION: Julie Ellis nominated Julia Nelson for the Office of Chair.

Gretchen Lowe called for other nominations three (3) times.

Julia Nelson was elected as Chair by a unanimous decision .

SECRETARY

NOMINATION: Carol Ott nominated Lillian Nolan for the Office of Secretary.

Gretchen Lowe called for other nominations three (3) times.

Lillian Nolan was elected as Secretary by a unanimous decision .

2012 ELECTION RESULTS	
Chair	Julia Nelson
Vice Chair	Gretchen Lowe
Secretary	Lillian Nolan

Julia Nelson took over as Chair immediately.

BOARD COMMITTEE AND LIAISON APPOINTMENTS

Julia Nelson made committee and liaison appointments as outlined below:

Education and Licensing Committee

Carol Ott, Chair
 Kay Coppens
 Rachelle Lancaster
 Gretchen Lowe

Practice/Discipline Committee

Julie Ellis, Chair
 Julia Nelson
 Maria Joseph
 Lillian Nolan
 Kay Coppens

Rules and Legislation Committee

Gretchen Lowe
 Lillian Nolan
 Carol Ott
 Rachelle Lancaster

Legislative Liaison(s)

Gretchen Lowe
 Rachelle Lancaster

Professional Assistance Procedure (PAP)

Liaison(s)
 Julia Nelson
 Kay Coppens – Alternate

DOE Monitoring Liaison

Kay Coppens
 Julia Nelson- Alternate

Endorsements/Examinations/Credentialing

Liaison(s)
 Rachelle Lancaster
 Carol Ott –Alternate

Interstate Compact

Dan Williams, Executive Director
 Colleen Baird, Legal Counsel – Alternate

Education Review Liaison(s) to the Office of Education and Examinations

Rachelle Lancaster
 Carol Ott

Practice Questions Liaison(s)

Julia Nelson

BOARD MEMBER SCREENING PANEL ROTATION APPOINTMENTS FOR 2013

Julia Nelson made the following board member screening panel appointments.

January – June 2013

Kay Coppens, Gretchen Lowe and Julie Ellis

July – December 2013

Assignments for July through December 2013 will be made later in the year.

STACEY HALWIG, WISCONSIN NURSES ASSOCIATION (WNA) PRESENTATION ON DISCIPLINARY STATISTICS

Stacey Halwig, former intern for the WNA, gave a PowerPoint presentation on the Board of Nursing disciplinary statistics.

REVIEW FOR APPROVAL: DRAFT POSITION PAPER REGARDING USE OF SOCIAL MEDIA BY NURSES

Legal Counsel Colleen Baird gave an overview of the draft position paper regarding the use of social media by nurses.

MOTION: Kay Coppens moved, seconded by Gretchen Lowe, to adopt the position paper on the use of social media by nurses and have it published to the DSPS website. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

Sharon Henes updated the Board regarding the new rule relating to applicants who apply by endorsement. It was believed that the rule will go into effect August 1, 2012.

REPORT OF EDUCATION AND LICENSURE COMMITTEE

Chippewa Valley Technical College:

1) Request to Plan Licensed Practical Nurse Stand-alone Program

COMMITTEE MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to recommend approval of the request from Chippewa Valley Technical College to develop a stand-alone LPN program. Motion carried unanimously.

BOARD MOTION: Gretchen Lowe moved, seconded by Carol Ott, to accept the recommendation for Chippewa Valley Technical College to develop a stand-alone LPN program. Motion carried unanimously.

Deaconess School of Nursing:

1) Application for Approval to Plan Licensed Practical Nursing Program

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to recommend approval of the application of Deaconess School of Nursing to plan a LPN nursing program. Motion carried unanimously.

BOARD MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to accept the recommendation for approval of the application of Deaconess School of Nursing to plan a LPN nursing program. Motion carried unanimously.

Herzing University – Brookfield/Kenosha:

1) Review of Revised Curriculum Plan

COMMITTEE MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to recommend approval of the revised curriculum plan and documents from Herzing University, Brookfield/Kenosha campus. Motion carried unanimously.

BOARD MOTION: Carol Ott moved, seconded by Rachelle Lancaster, to accept the recommendation for approval of the revised curriculum plan and documents from Herzing University, Brookfield/Kenosha campus. Motion carried unanimously.

2) Review of Syllabi for NB100, NB356, NB450, HU325 and SS120

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to recommend approval of the Herzing University, Brookfield/Kenosha campus syllabi for NB100, NB356, NB450, HU325 and SS120. Motion carried unanimously.

BOARD MOTION: Gretchen Lowe moved, seconded by Kay Coppens, to accept the recommendation for approval of the Herzing University, Brookfield/Kenosha campus syllabi for NB100, NB356, NB450, HU325 and SS120. Motion carried unanimously.

Marian University:

1) Review of NCLEX-RN Pass Rate Improvement Plan

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to recommend approval of the Marian University NCLEX-RN pass rate improvement plan. Motion carried unanimously.

BOARD MOTION: Lillian Nolan moved, seconded by Kay Coppens, to accept the recommendation for approval of the Marian University NCLEX-RN pass rate improvement plan. Motion carried unanimously.

Northcentral Technical College:

1) Review of NCLEX-RN Pass Rate Improvement Plan

COMMITTEE MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to recommend approval of the Northcentral Technical College NCLEX-RN pass rate improvement plan. Motion carried unanimously.

BOARD MOTION: Carol Ott moved, seconded by Julia Nelson, to accept the recommendation for approval of the Northcentral Technical College NCLEX-RN pass rate improvement plan. Motion carried unanimously.

Rasmussen College – Green Bay and Wausau:

1) Review of Faculty Grids and Revised Nursing Curriculum

COMMITTEE MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to recommend approval of the Rasmussen College NCLEX-RN pass rate improvement plan. Motion carried unanimously.

BOARD MOTION: Julia Nelson moved, seconded by Kay Coppens, to accept the recommendation for approval of the Rasmussen College NCLEX-RN pass rate improvement plan. Motion carried unanimously.

REPORT OF PRACTICE COMMITTEE

The Practice Committee did not meet.

INFORMATIONAL ITEM(S)

None.

NEW/OTHER BUSINESS

None.

PUBLIC COMMENTS

None.

CLOSED SESSION

MOTION: Lillian Nolan moved, seconded by Rachelle Lancaster, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Enforcement case status reports. Roll Call Vote: Kay Coppens-yes; Julie Ellis-yes; Rachelle Lancaster-yes; Gretchen Lowe-yes; Julia Nelson-yes; Lillian Nolan-yes; and Carol Ott-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:25 a.m.

RECONVENE TO OPEN SESSION

MOTION: Gretchen Lowe moved, seconded by Kay Coppens, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:38 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION
IF VOTING IS APPROPRIATE**

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to reaffirm all motions made in closed session. Motion carried unanimously.

APPLICATION REVIEW(S)

1) **1:00 P.M. APPEARANCE: Anita M. Johnson – L.P.N. Re-Registration Applicant**

Anita M. Johnson appeared before the Board in support of her application for L.P.N. re-registration.

MOTION: Lillian Nolan moved, seconded by Rachelle Lancaster, to deny the re-registration application of Anita M. Johnson's (a.k.a. Leslie Brandon) Wisconsin LPN license on the basis of her prior disciplinary history, the content of her personal interview before the board and the content of her application file. Motion carried unanimously.

DELIBERATION ON MONITORING MATTERS

1) **1:30 P.M. APPEARANCE: Nicole Kutner, R.N. – As Required by Board's Order Dated May 22, 2012**

Nicole Kutner, R.N., and Attorney Dennis Coffey appeared before the Board. . No further action was taken.

2) **Gayle M. Glynn, R.N. – Requesting Reinstatement of License**

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to deny the request of Gayle M. Glynn, R.N. for reinstatement of license, .and to grant a limited license for the sole purpose of completing a Board approved RN refresher course to expire within one (1) year of the date of issuance. No access to controlled substances and must provide to the Board a copy of all prescribed medications. The Board noted that Ms. Glynn will be required to complete drug screens at a frequency of twenty eight (28) per year with one (1) annual hair test. In addition, Ms. Glynn must disclose the order to the school. An appearance before the Board is required to request reinstatement. **Reason for Denial:** The length of time since last registered. Motion carried unanimously.

3) **Jean Larscheidt, R.N. – Requesting the Acceptance of the Surrender of Her License**

MOTION: Rachelle Lancaster moved, seconded by Gretchen Lowe, to accept the license surrender of Jean Larscheidt, R.N. Motion carried unanimously.

4) **Chia Yang, R.N. – Requesting Full Licensure**

MOTION: Julie Ellis moved, seconded by Rachelle Lancaster, to grant the request of Chia Yang, R.N. for full licensure. Motion carried unanimously.

5) **Megan Frohmader, R.N. – Requesting Modification**

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to deny the request of Megan Frohmader, R.N. for access to controlled substances and a reduction in drug screens. She must be in compliance for one full year before she can re-petition the Board. **Reason for Denial:** Failure to comply with the original Order. Motion carried unanimously.

6) **Stephanie Hoffman, R.N. – Requesting Modification**

MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to grant the request of Stephanie Hoffman, R.N. for a reduction in the frequency of drug screens to twenty eight (28) per year with one (1) annual hair test, until employment as a nurse has been obtained, at which time the drug screens will be increased to forty eight (48) per year with one (1) annual hair test. Motion carried unanimously.

7) **Paul Lauer, R.N. – Requesting Modification**

MOTION: Kay Coppens moved, seconded by Lowe, to grant the request of Paul Lauer, R.N. for the termination of therapy requirement and to reduce the frequency of drug screens to twenty eight (28) per year and one (1) annual hair test, until employment as a nurse has been obtained, at which time the screens will be increased to forty eight (48) per year with one (1) annual hair test.. Motion carried unanimously.

8) **Angela Leonard, R.N. – Requesting Modification**

MOTION: Lillian Nolan moved, seconded by Rachelle Lancaster, to grant the request of Angela Leonard, R.N. for a reduction in drug screens to fourteen (14) per year with one (1) annual hair test. Motion carried unanimously.

9) **Timothy Murphy, R.N. – Requesting Modification**

MOTION: Lillian Nolan moved, seconded by Kay Coppens, to deny the request of Timothy Murphy, R.N. for the removal of all limitations or allow access to controlled substances. **Reason for Denial:** Failure to comply with the Board order. Motion carried unanimously.

10) **Kimberly Roders, L.P.N. – Requesting Modification**

MOTION: Kay Coppens moved, seconded by Gretchen Lowe, to grant the request of Kimberly Roders, L.P.N. for the removal of work setting restrictions. Motion carried unanimously.

11) **Luann Taylor, R.N. – Requesting Modification**

MOTION: Gretchen Lowe moved, seconded by Rachelle Lancaster, to grant the request of Luann Taylor, R.N. for the termination of therapy requirement. Motion carried unanimously.

DELIBERATION ON PROPOSED FINAL DECISIONS AND ORDERS

1) **Jennifer J. Carlson, R.N., Respondent – Division of Hearings and Appeals (DHA) Case # SPS-11-0081, Division of Enforcement (DOE) Case # 10 NUR 446**

MOTION: Rachelle Lancaster moved, seconded by Lillian Nolan, to reject the Proposed Decision and Order in the matter of disciplinary proceedings against Jennifer J. Carlson, R.N., Respondent – Division of Hearings and Appeals (DHA) Case # SPS-11-0081, Division of Enforcement (DOE) Case # 10 NUR 446 and to issue a variance. Motion carried unanimously.

DIVISION OF ENFORCEMENT:

Case Status Report

The Board received a report outlining its pending enforcement cases.

Case Closings

11 NUR 463 Insufficient Evidence
11 NUR 644 Insufficient Evidence
12 NUR 218 Insufficient Evidence
12 NUR 240 Compliance Gained
12 NUR 243 Prosecutorial Discretion (P7)
12 NUR 256 No Violation

MOTION: Gretchen Lowe moved, seconded by Rachelle Lancaster, to close the cases listed as identified above. Motion carried unanimously.

DELIBERATION OF ADMINISTRATIVE WARNINGS:

- 1) 12 NUR 154
- 2) 12 NUR 207

MOTION: Gretchen Lowe moved, seconded by Rachelle Lancaster, to issue the administrative warnings in the matter of the case number **12 NUR 154**. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Kay Coppens, to reject the administrative warning in the matter of case **12 NUR 207** and return the matter to the Division of Enforcement. Motion carried unanimously.

DELIBERATION OF PROPOSED STIPULATIONS AND FINAL DECISIONS AND ORDERS:

- 1) Mandy L. Chartier, L.P.N. (12 NUR 159)
- 2) Margaret A. Heykes Schauer, R.N. (12 NUR 173)
- 3) Kristi J. Kielstrup, R.N. (12 NUR 109)
- 4) Amanda M. Koeppel, R.N. (12 NUR 096)
- 5) Sandra L. Kositzke, R.N. (12 NUR 006)
- 6) Sue R. Schindler, R.N. (12 NUR 210)
- 7) MeShelle L. Settles, R.N. (12 NUR 023)
- 8) Elizabeth Weindorfer, R.N., A.P.N.P. (12 NUR 123)
- 9) Ann L. Zitzke, L.P.N. (12 NUR 222)

MOTION: Carol Ott moved, seconded by Rachelle Lancaster, to adopt the Findings of Fact, Conclusions of Law, Stipulations and Orders in the matter of disciplinary proceedings against the individuals listed above. Motion carried unanimously.

DELIBERATION ON ORDERS FIXING COSTS:

- 1) Rebecca Brock, L.P.N. (ORDER0001483)
- 2) Amanda Cook, L.P.N. (ORDER001482)
- 3) Johanna Edwards, R.N. (ORDER0001589)
- 4) Nicole Kutner, R.N. (ORDER0001588)
- 5) Racheal G. Roark, R.N. (ORDER0001481)

MOTION: Carol Ott moved, seconded by Rachelle Lancaster, to accept the Orders Fixing Costs in the matter of the individuals listed above with the exception of the Nicole Kutner, R.N. Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Lillian Nolan, to adopt the Order Fixing Costs in the disciplinary matter concerning Nicole Kutner, R.N. (Order 0001588) with the date for payment by July 19, 2014. Motion carried unanimously.

**DISCUSSION OF BOARD MEETING PROCESS
(TIME ALLOCATION, AGENDA ITEMS)**

The Board discussed the use of former board members as expert witnesses for disciplinary matters

MOTION: Rachelle Lancaster moved, seconded by Gretchen Lowe, to direct DOE to not use former Board members for expert witness testimony and consultations within five (5) years of leaving their board appointment. Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to direct DOE and Monitoring to include in standard impairment stipulations the additional workplace restrictions of assisted living facilities, including Community Based Residential Facilities (CBRF) and Residential Care Apartment Complexes (RCAC). Motion carried unanimously.

OTHER BOARD BUSINESS

None.

ADJOURNMENT

MOTION: Kay Coppens moved, seconded by Gretchen Lowe, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:59 p.m.