

**BOARD OF NURSING
MEETING MINUTES
AUGUST 16, 2012**

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

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

CALL TO ORDER

Julia Nelson, Vice Chair, called the meeting to order at 8:28 a.m. A quorum of eight (8) members was present.

ADOPTION OF AGENDA

Amendments

- Item F (open session) is removed
- Item L5 (open session) – insert after page 88: NCSBN Annual Meeting Report from Rachelle Lancaster and Carol Ott

MOTION: Gretchen Lowe moved, seconded by Rachelle Lancaster, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 19, 2012

Corrections

- On page 5, under Rasmussen College, in the second motion, correct the name from “Julia Nolan” to “Julia Nelson”
- On page 8, under Case Closings, correct the first case number to 11 NUR 463

MOTION: Lillian Nolan moved, seconded by Kay Coppens, to approve the minutes of July 19, 2012 as corrected. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to request a scope statement be drafted and presented to the Board of Nursing for adoption at the September meeting to amend N 1.04 and N 1.05 regarding the success rate by a school’s graduates on the NCLEX. Motion carried unanimously.

REPORT OF EDUCATION AND LICENSURE COMMITTEE

Cardinal Stritch University – Ruth S. Coleman College of Nursing

1) Request for Approval of Educational Administrator

COMMITTEE MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to approve Kelly Dries, MDS, as the Educational Administrator for Cardinal Stritch College – Ruth S. Coleman College of Nursing. Motion carried unanimously.

Wisconsin Indianhead Technical College:

1) Request for Approval of Educational Administrator

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Rachelle Lancaster, to approve Jeanette Olson, MSN, RN, as the Educational Administrator for Wisconsin Indianhead Technical College. Motion carried unanimously.

Milwaukee School of Engineering School of Nursing:

1) Request for Approval of Program Change

COMMITTEE MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to approve the request for approval of program change (Track 5.0) for the Milwaukee School of Engineering School of Nursing. Motion carried unanimously.

U.W. Stevens Point:

1) Request for Approval to Plan Bachelor of Science in Nursing Completion Program

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Rachelle Lancaster, to approve the request to plan a Bachelor of Science in Nursing completion program at U.W. Stevens Point. Motion carried unanimously.

Quarter 2 – 2012 NCLEX Pass Rate Data:

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Gretchen Lowe, to approve the NCLEX Pass Rate data. Motion carried unanimously.

Bryant and Stratton College:

COMMITTEE MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to have the Board of Nursing conduct a site visit to Bryant and Stratton College after acceptance of the Interim Report due August 31, 2012. Motion carried unanimously.

The Board of Nursing approved the recommendations of the Education and Licensure Committee by unanimous consent.

REPORT OF PRACTICE COMMITTEE

MOTION: Julie Ellis moved, seconded by Gretchen Lowe, to have the Practice Committee look at a disciplinary decision tree at the September meeting. Motion carried unanimously.

NEW/OTHER BUSINESS

MOTION: Gretchen Lowe moved, seconded by Rachele Lancaster, to have Dan Williams look into the possibility of having the Capitol Police present when individuals appear before the Board who have a mental illness or criminal history. Motion carried unanimously.

CLOSED SESSION

MOTION: Rachele Lancaster moved, seconded by Julie Ellis, 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; Maria Joseph-yes; Rachele 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 10:30 a.m.

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 1:43 p.m.

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

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

MONITORING

MOTION: Rachele Lancaster moved, seconded by Maria Joseph, to grant the request for full licensure from **Daniel Paddor, R.N.**, and to have DSPTS staff take the appropriate steps to correct the information reported to NURSUS. Motion carried unanimously.

- MOTION:** Kay Coppens moved, seconded by Lillian Nolan, to deny the request of **Michelle Svoke, R.N.**, for full licensure due to lack of compliance with the Board Order and insufficient time under the Order, and to modify the Order to reduce 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.
- MOTION:** Rachelle Lancaster moved, seconded by Kay Coppens, to deny the request from **Regina Swenson, R.N.**, for reinstatement of her license based on the terms of her original Board Order and the terms of her Order from drug court and to have an evaluation by a forensic psychologist to include a risk assessment. She must also have a fitness to practice evaluation. She must submit copies of all Orders from the Circuit Court. Motion carried unanimously.
- MOTION:** Rachelle Lancaster moved, seconded by Kay Coppens, to deny the request of **Denise Denton, R.N.** for modifications (reduction in drug screens and termination of therapy requirement) based on failure to comply with the Board Order. She needs to submit a current list of her prescriptions and a report from her therapist and pay full costs. Motion carried unanimously.
- MOTION:** Kay Coppens moved, seconded by Gretchen Lowe, to grant the request of **Vyacheslav Dubrovsky, R.N.**, for a reduction in drug screens to twenty eight (28) per year with one (1) annual hair test. Motion carried unanimously.
- MOTION:** Carol Ott moved, seconded by Rachelle Lancaster, to deny the request of **Jill Gustafson, R.N.**, for a reduction in the frequency of drug screens. Motion carried unanimously. Reason for Denial: Not supported by therapist and insufficient time under the Order.
- MOTION:** Lillian Nolan moved, seconded by Julie Ellis to approve the request of **Angela Mangold, R.N.** for the removal of suspension. Motion carried unanimously.
- MOTION:** Julie Ellis moved, seconded by Gretchen Lowe, to modify the payment plan for **Angela Mangold, R.N.**, with monthly installments in the amount of \$750.00 plus interest and outstanding balance to be paid in full within 12 months from the date of the Board Order, and to modify the limitation in paragraph 3(c) to include paragraph 3(a) restrictions, as a result of violation of the original Board Order.
- MOTION:** Rachelle Lancaster moved, seconded by Kay Coppens, to suspend the limited license of **Regina Young, R.N.** Ms. Young, cannot petition the Board for modifications until she can demonstrate three months of full compliance with her current Board Order. The Board requires an updated AODA assessment, compliance with drug screening requirements, and a current medication list from her medical provider. Motion carried unanimously.
- MOTION:** Kay Coppens moved, seconded by Rachelle Lancaster, to grant the request of **Shauna Dettinger, R.N.**, for reduction in drug screens to fourteen (14) per year plus one annual hair test Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Gretchen Lowe, to grant the request of the Division of Enforcement to correct the Board Order for **Elizabeth Weindorfer, R.N.**, to forty eight (48) drug screens per year with one annual hair test. Motion carried unanimously.

MOTION: Kay Coppens moved, seconded by Julie Ellis, t to grant the request of the Division of Enforcement to correct the Board Order for **MeShelle Settles, R.N.**, to forty eight (48) drug screens per year with one annual hair test. Motion carried unanimously.

REVIEW APPLICATION FOR PAP

MOTION: Gretchen Lowe moved, seconded by Rachelle Lancaster, to reaffirm the denial of the application of **M.A.E., R.N.**, on the basis of his behavior stemming from the diversion of narcotics from a terminally ill family member and he is not an appropriate candidate for the program. Motion carried unanimously.

CASE CLOSINGS

12 NUR 241 **Prosecutorial Discretion (P2)**
12 NUR 177 **Prosecutorial Discretion (P5)**
12 NUR 311 **Prosecutorial Discretion (P2)**
12 NUR 067 **Insufficient Evidence**
12 NUR 220 **Prosecutorial Discretion (P7)**
12 NUR 113 **Insufficient Evidence**
12 NUR 143 **Insufficient Evidence**
12 NUR 359 **Prosecutorial Discretion (P5)**
12 NUR 047 **No Violation**
11 NUR 567 **Prosecutorial Discretion (P7)**
12 NUR 049 **Insufficient Evidence**
12 NUR 319 **Prosecutorial Discretion (P5)**

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

PROPOSED ADMINISTRATIVE WARNINGS

MOTION: Gretchen Lowe moved, seconded by Rachelle Lancaster, to issue the administrative warning in the matter of 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.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Carol Ott moved, seconded by Kay Coppens, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Theodore C. Alexander, L.P.N. (12 NUR 076)**. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Gretchen Lowe, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Natasha F. Chisolm, R.N. (11 NUR 687)**. Motion carried unanimously.

MOTION: Carol Ott moved, seconded by Rachelle Lancaster, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Marc A. Eichsteadt, R.N. (12 NUR 224)**. Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Carol Ott, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Coreen A. Elliott, R.N. (12 NUR 179)**. Motion carried unanimously.

MOTION: Gretchen Lowe moved, seconded by Lillian Nolan, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Kara A. Fedie, R.N., A.P.N.P. (12 NUR 225)**. Motion carried. Rachelle Lancaster opposed.

MOTION: Rachelle Lancaster moved, seconded by Julie Ellis, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Doreen L. Hernandez, L.P.N. (12 NUR 141)**. Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Elizabeth M. Gabryel, R.N. (11 NUR 626)**. Motion carried unanimously.

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

MOTION: Lillian Nolan moved, seconded by Rachelle Lancaster, to add to the next agenda a discussion of unprofessional conduct relating to licensees who do not respond to a request for information from the Department of Safety and Professional Services. Motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 1:59 p.m.