



VIRTUAL/TELECONFERENCE
BOARD OF NURSING
Virtual, 4822 Madison Yards Way, Madison
Contact: Brad Wojciechowski (608) 266-2112
May 11, 2023

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

8:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-5)**
- B. Approval of Minutes of April 13, 2023 (6-15)**
- C. Reminders: Conflicts of Interests, Scheduling Concerns**
- D. Introductions, Announcements and Recognition – Discussion and Consideration**
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Board Updates
 - 2) Board Members – Term Expiration Dates
 - a. Anderson, John G. – 7/1/2025
 - b. Edelstein, Janice A. – 7/1/2024
 - c. Guyton, Vera L. – 7/1/2025
 - d. McFarland, Rosalyn L. – 7/1/2026
 - e. Saldivar Frias, Christian – 7/1/2023
 - f. Scott, Linda D. – 7/1/2023
 - g. Weinman, Robert W. – 7/1/2023
 - h. Zentz, Emily – 7/1/2023
- F. Education and Examination Matters – Discussion and Consideration**
- G. Legislative and Policy Matters – Discussion and Consideration**
 - 1) 2021 Wisconsin Act 158, Relating to Practice of Certain Skilled Health Services by Military Medical Personnel and Granting Rule Making Authority
- H. Administrative Rule Matters – Discussion and Consideration**
 - 1) Second Extension Letter: EmR 2215 – N2, Relating to Modification of the Board Review Process to Take the NCLEX **(16-18)**
 - 2) Discussion Permanent Rule N2, Public Hearing, Relating to Modification of the Board Review Process to Take the NCLEX **(19)**

3) Pending and Possible Rulemaking Projects **(20-22)**

I. Board of Nursing – Division of Legal Services and Compliance Annual Report/January 1, 2022 – December 31, 2022 – Discussion and Consideration (23-32)

J. Newsletter Matters – Discussion and Consideration (33)

K. Speaking Engagements, Travel, Public Relation Requests, and Reports

- 1) Consideration of Attendance: 2023 NCSBN Annual Meeting – August 16-18, 2023 – Chicago, IL
- 2) Consideration of Attendance: 2023 Executive Officers Leadership Summit – June 21-21, 2023 – Newport Beach, CA **(34)**
- 3) Travel Report: University of Wisconsin- Eau Claire College of Nursing and Health Sciences – April 5, 2023 – Virtual

L. Nurse Licensure Compact (NLC) Update – Discussion and Consideration

M. Liaison Reports – Discussion and Consideration

N. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Administrative Matters
- 3) Election of Officers
- 4) Appointment of Liaisons and Alternates
- 5) Delegation of Authorities
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Legislative and Policy Matters
- 10) Administrative Rule Matters
- 11) Liaison Reports
- 12) Board Liaison Training and Appointment of Mentors
- 13) Public Health Emergencies
- 14) Informational Items
- 15) Division of Legal Services and Compliance (DLSC) Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Proposed Final Decisions and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagements, Travel, Public Relation Requests, and Reports

O. Public Comments

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 investigations with administrative warnings (ss. 19.85(1)(b), 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.).

P. Credentialing Matters

1) Application Reviews

- a. Michelle Connelly – RN Multistate Applicant **(35-82)**
- b. Marissa Petite – RN Applicant **(83-181)**
- c. Brittany Torrence – RN Renewal Applicant **(182-473)**

Q. Deliberation on Division of Legal Services and Compliance Matters

1) Administrative Warnings

- a. 21 NUR 616 – N.L.S. **(474-475)**
- b. 22 NUR 024 – E.E.J. **(476-477)**
- c. 22 NUR 198 – A.G.C. **(478-479)**
- d. 23 NUR 033 – J.M.F. **(480-481)**
- e. 23 NUR 240 – S.C.M. **(482-483)**

2) Case Closings

- a. 21 NUR 502 – S.J.B., L.M.S., H.U., L.J.W. **(484-492)**
- b. 21 NUR 537 – K.J. **(493-499)**
- c. 21 NUR 704 – M.J.R. **(500-506)**
- d. 21 NUR 808 – R.L., S.T. **(507-513)**
- e. 22 NUR 044 – C.A.H. **(514-520)**
- f. 22 NUR 138 – L.J.W. **(521-526)**
- g. 22 NUR 188 – D.L.G. **(527-535)**
- h. 22 NUR 207 – L.B. **(536-540)**
- i. 22 NUR 426 – T.D.M. **(541-546)**
- j. 22 NUR 486 – S.M.S. **(547-550)**
- k. 22 NUR 494 – D.L.B. **(551-554)**
- l. 22 NUR 495 – T.E.D. **(555-560)**
- m. 22 NUR 532 – D.W. **(561-565)**
- n. 23 NUR 083 – M.A.H., T.M.R. **(566-569)**
- o. 23 NUR 106 – T.K. **(570-573)**

3) Proposed Stipulations, Final Decisions, and Orders

- a. 19 NUR 082, 22 NUR 404 – Amy J. Furlong, R.N. **(574-585)**
- b. 20 NUR 272 – Amanda M. Vanderfin, L.P.N. **(586-591)**
- c. 22 NUR 038 – Shalonda N. Myles, R.N., A.P.N.P. **(592-598)**
- d. 22 NUR 391 – Ann M. Kohlbeck, R.N. **(599-606)**
- e. 22 NUR 394 – Linda C. Barnes, R.N. **(607-618)**
- f. 22 NUR 445 – Monique D. Tovar, R.N. **(619-625)**
- g. 22 NUR 478 – Cody G. Severson, R.N. **(626-635)**
- h. 22 NUR 555 – Doreen M. Serrano, R.N. **(636-647)**
- i. 22 NUR 709 – Steven M. Smokovich, R.N. **(648-658)**
- j. 22 NUR 726 – Tarren C. Prange, R.N., A.P.N.P. **(659-667)**

- k. 22 NUR 830 – Jennifer L. Vosen, R.N. **(668-681)**
- l. 23 NUR 093 – Karli V. Velasquez, R.N. **(682-689)**
- 4) **Proposed Stipulations and Interim Orders**
 - a. 23 NUR 176 – Amber K. Knowler, R.N. **(690-695)**
- 5) **Monitoring Matters (696-697)**
 - a. **Monitor Heller**
 - 1. Joan Swope, R.N. – Requesting Reduction in Drug/Alcohol Screens, Termination of Practice Limitations, and a Reduction in AA/NA Meetings **(698-736)**
 - b. **Monitor Wagner**
 - 1. Nakisha Dyson, L.P.N. – Requesting Full Licensure **(737-748)**
 - 2. Stacey Johnson, R.N. – Requesting Termination of AODA Treatment **(749-777)**
 - 3. Sheila Novin, R.N. – Requesting Full Licensure **(778-787)**
 - c. **Monitor Olson**
 - 1. Jessica Shore, R.N. – Requesting Full Licensure **(788-804)**
 - 2. Desiree Sims, R.N., A.P.N.P. – Requesting Reduction in Drug/Alcohol Screens and Termination of Direct Supervision **(805-848)**
 - 3. Amanda Wing, R.N. – Requesting Full Licensure **(849-898)**

R. Deliberation on Proposed Final Decision and Orders

- 1) Jennifer J. Hogge, R.N., Respondent – DHA Case Number SPS-22-0056/DLSC Case Numbers 21 NUR 639, 22 NUR 341, and 22 NUR 358 **(899-913)**
- 2) Nancy K. Reddick, R.N., Respondent – DHA Case Number SPS-22-0071/DLSC Case Number 22 NUR 182 **(914-924)**

S. Deliberation on Matters Relating to Costs/Orders Fixing Costs

- 1) Brian D. Borowski, R.N., Respondent – DHA Case Number SPS-22-0017/DLSC Case Number 21 NUR 253 **(925-942)**
- 2) Angela Hamilton, L.P.N., Respondent – DHA Case Number SPS-22-0006/DLSC Case Number 19 NUR 703 **(943-963)**
- 3) Nancy M. Mokaya, R.N., Respondent – DHA Case Number SPS-22-0007/DLSC Case Number 21 NUR 212 **(964-981)**
- 4) Angela N. Yant, L.P.N., Respondent – DHA Case Number SPS-21-0091/DLSC Case Number 21 NUR 192 **(982-998)**

T. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders

- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

U. Consulting with Legal Counsel

- 1) Planned Parenthood of Wisconsin, Inc. v. Wisconsin Board of Nursing, Et Al; USDC, Western District of Wisconsin

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

- V. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate
- W. Open Session Items Noticed Above Not Completed in the Initial Open Session
- X. Board Meeting Process (Time Allocation, Agenda Items) – Discussion and Consideration
- Y. Board Strategic Planning and its Mission, Vision and Values – Discussion and Consideration

ADJOURNMENT

NEXT MEETING: JUNE 8, 2023

 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board’s agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or the Meeting Staff at 608-267-7213.

**HYBRID (IN-PERSON/VIRTUAL)
BOARD OF NURSING
MEETING MINUTES
APRIL 13, 2023**

PRESENT: John Anderson, Janice Edelstein, Vera Guyton (*excused at 11:40 a.m.*), Linda Scott, Robert Weinman, Emily Zentz (*via Zoom*)

EXCUSED: Rosalyn McFarland, Christian Saldivar Frias

STAFF: Brad Wojciechowski, Executive Director; Whitney DeVoe, Legal Counsel; Sofia Anderson, Administrative Rules Coordinator; Katlin Schwartz, Bureau Assistant; and other Department Staff

CALL TO ORDER

Robert Weinman, Chairperson, called the meeting to order at 8:10 a.m. A quorum was confirmed with six (6) members present.

ADOPTION OF THE AGENDA

MOTION: Linda Scott moved, seconded by Vera Guyton, to adopt the Agenda as published. Motion carried unanimously.

MOTION: Robert Weinman moved, seconded by John Anderson, to withdraw the motion to adopt the Agenda as published and to adopt the amended agenda as follows WIS. STAT. 440.035 (2M)(C). Motion carried unanimously.

APPROVAL OF MINUTES FEBRUARY 9, 2023

MOTION: Emily Zentz moved, seconded by Janice Edelstein, to approve the Minutes of February 9, 2023 as published. Motion carried unanimously.

SPECIAL APPEARANCE – LIEUTENANT GOVERNOR, SARA RODRIGUEZ

MOTION: John Anderson moved, seconded by Linda Scott, to acknowledge and thank Lieutenant Governor, Sara Rodriguez for her appearance to the Board. Motion carried unanimously.

MOTION: Robert Weinman moved, seconded by Janice Edelstein, to acknowledge and thank Secretary Dan Hereth for his appearance to the Board. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

2022 Nursing School Pass Rates

- MOTION:** Janice Edelstein moved, seconded by Vera Guyton, to recognize that the following schools failed to meet the annual pass rate standard:
- a) Herzing University - Kenosha – PN
 - b) Bryant & Stratton College – ADN
 - c) Cardinal Stritch University - Ruth S. Coleman College of Nursing– ADN
 - d) Columbia College - Mt Mary College – BS
 - e) Lac Courte Oreilles Ojibwe Community College – ADN
 - f) Rasmussen College- Green Bay- ADN
- Each school will receive a warning letter from the Board. Each school shall identify factors that are potentially affecting the low pass rate and submit an assessment of contributing factors and institutional plan for improvement of examination results including outcomes and timeframes. The assessment and institutional plan shall be submitted to the board within 45 days of the board notifying the school of nursing of its failure to meet the annual pass rate standard. The institutional plan shall be acted on by the board no later than July 15. Failure to have a board approved plan by July 15 results in a review of the school of nursing under s. N 1.10 (4). Motion carried unanimously.

PUBLIC AGENDA REQUEST: WISCONSIN NURSES ASSOCIATION – PRESENTATION REQUEST

- MOTION:** Robert Weinman moved, seconded by John Anderson, to acknowledge and thank Gina Dennik-Champion for her appearance and presentation to the Board. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Scope Statement: N 6, Relating to Delegated Acts

- MOTION:** Linda Scott moved, seconded by John Anderson, to approve the revised Scope Statement revising N 6, relating to delegated acts, for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

Preliminary Rule Draft: N2, Relating to Modification of the Board Review Process to take the NCLEX

MOTION: Robert Weinman moved, seconded by Janice Edelstein, to approve the preliminary rule draft of rule N 2, relating to modification of the Board review process to take the NCLEX, for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

OPIOID ABUSE GOAL SETTING AND REPORT PURSUANT TO WIS. STAT. 440.035 (2M)(C)

MOTION: Vera Guyton moved, seconded by Robert Weinman, to designate the Chairperson to work with DSPS staff to develop and approve the 2023 Opioid Report to the legislature and Governor and to delegate authority to the Chairperson to approve the final report for submission. Motion carried unanimously.

CLOSED SESSION

MOTION: Robert Weinman moved, seconded by Linda Scott, 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 warnings (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.). Robert Weinman, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: John Anderson-yes; Janice Edelstein-yes; Vera Guyton-yes; Linda Scott-yes; Robert Weinman-yes; and Emily Zentz-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:34 a.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

Administrative Warnings

MOTION: Robert Weinman moved, seconded by Janice Edelstein, to issue an Administrative Warning in the following DLSC Cases:

1. 21 NUR 445 – I.M.H.
2. 21 NUR 445 – I.T.P.
3. 22 NUR 061 – A.R.P.
4. 22 NUR 360 – N.T.E.
5. 22 NUR 606 – A.R.P.
6. 22 NUR 649 – M.K.N.
7. 22 NUR 724 – C.J.B.
8. 22 NUR 727 – A.M.W.B.
9. 22 NUR 742 – C.L.H.F.

Motion carried unanimously.

Case Closings

MOTION: John Anderson moved, seconded by Linda Scott, to close the following DLSC Cases for the reasons outlined below:

1. 21 NUR 453 – Unknown – No Violation
2. 21 NUR 487 – I.T.K. – No Violation
3. 21 NUR 620 – K.M.C. – Insufficient Evidence
4. 21 NUR 636 – L.M.P. – Insufficient Evidence
5. 21 NUR 643 – K.M.V. – Insufficient Evidence
6. 21 NUR 673 – J.R. – No Violation
7. 21 NUR 778 – U.L.M. – No Violation
8. 22 NUR 023 – I.A. – No Violation
9. 22 NUR 070 – R.B. – Insufficient Evidence
10. 22 NUR 099 – T.M.B. – Insufficient Evidence
11. 22 NUR 120 – K.K. – No Violation
12. 22 NUR 228 – R.D.K. – No Violation
13. 22 NUR 247 – K.A.R. – No Violation
14. 22 NUR 249 – Unknown – No Violation
15. 22 NUR 256 – L.R.W. – Insufficient Evidence
16. 22 NUR 261 – Unknown – No Violation
17. 22 NUR 314 – C.L.O. – Insufficient Evidence
18. 22 NUR 333 – B.F. – No Violation
19. 22 NUR 352 – C.D.S. – Insufficient Evidence
20. 22 NUR 393 – D.C.N. – Prosecutorial Discretion (P5)
21. 22 NUR 470 – B.W. – Insufficient Evidence
22. 22 NUR 485 – R.L.H. – No Violation
23. 22 NUR 493 – S.M.L. – No Violation
24. 22 NUR 512 – L.L.R. – Insufficient Evidence
25. 22 NUR 513 – J.L.O. – Prosecutorial Discretion (P1)
26. 22 NUR 524 – M.E.L. – Lack of Jurisdiction (L2)

27. 22 NUR 553 – K.B. – Prosecutorial Discretion (P2)
 28. 22 NUR 558 – G.E.C. – Insufficient Evidence
 29. 22 NUR 578 – D.A.W. – No Violation
 30. 22 NUR 621 – M.J.A. – No Violation
 31. 22 NUR 631 – L.M.D. – Insufficient Evidence
 32. 22 NUR 677 – R.J. – No Violation
 33. 22 NUR 681 – Unknown– Lack of Jurisdiction (L2)
 34. 22 NUR 686 – Unknown – No Violation
 35. 22 NUR 763 – Y.R.S. – No Violation
 36. 22 NUR 775 – K.K.S. – Insufficient Evidence
 37. 22 NUR 776 – C.A.S. – Insufficient Evidence
 38. 22 NUR 785 – N.A.L. – Insufficient Evidence
 39. 22 NUR 796 – N.M.W. – No Violation
 40. 22 NUR 840 – J.S.T. – Insufficient Evidence
 41. 22 NUR 873 – T.M.K. – Lack of Jurisdiction (L2)
 42. 22 NUR 879 – E.N.L. – Prosecutorial Discretion (P7)
 43. 23 NUR 014 – J.A.L. – No Violation
- Motion carried unanimously.

Proposed Stipulations and Final Decisions and Orders

MOTION: Robert Weinman moved, seconded by Vera Guyton, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings of the following cases:

1. 20 NUR 267 – Jessica J. Bosch, R.N., A.P.N.P.
2. 21 NUR 140 – Jaymie L. Malik, R.N.
3. 21 NUR 243, 21 NUR 341 – Jenni-Jo Clark, L.P.N.
4. 21 NUR 292, 21 NUR 446, 22 NUR 083 – Mary B. Borsecnik, R.N.
5. 21 NUR 341, 21 NUR 378 – Michelle M. Henriksen, R.N.
6. 21 NUR 428 – Ambre L. Anderson, R.N.
7. 21 NUR 528 – Mary K. Hillyer, R.N.
8. 21 NUR 589 – Nico L. Ellingson, R.N.
9. 21 NUR 634 – Amber L. Lewis, R.N.
10. 21 NUR 694, 22 NUR 496 – Thomas S. Sura, R.N.
11. 21 NUR 799, 22 NUR 004 – Clare M. Sommers, R.N.
12. 21 NUR 801 – Michael J. Lee, R.N.
13. 22 NUR 098 – Nancy K. Silverberg, L.P.N.
14. 22 NUR 157 – Melissa R. Rice, R.N.
15. 22 NUR 217 – Vicki L. Turtle-Overas, L.P.N.
16. 22 NUR 234 – Sommer R. Bertalot, R.N.
17. 22 NUR 291 – Kimberly Lange, L.P.N.
18. 22 NUR 292 – Dawn M. Ogilvie, L.P.N.
19. 22 NUR 294 – Erica Y. Saavedra, R.N.
20. 22 NUR 355 – Mary C. Bos, R.N.
21. 22 NUR 365 – Terri L. Payne, R.N., A.P.N.P., C.N.M.
22. 22 NUR 367 – Nicole L. Winchell, R.N.
23. 22 NUR 373 – Lisa M. Olsen, L.P.N.

24. 22 NUR 382 – Marcia A. Bauer, L.P.N.
 25. 22 NUR 387 – Kimberly A. Rupiper, R.N.
 26. 22 NUR 431 – Carrie A. Harpe, L.P.N.
 27. 22 NUR 501 – Dana L. Taft, R.N.
 28. 22 NUR 529 – Amy L. Hart, L.P.N.
 29. 22 NUR 544 – Joshua D. Harrold, R.N.
 30. 22 NUR 548 – Jessica K. Monfre, R.N.
 31. 22 NUR 554 – Shari M. Davis, R.N.
 32. 22 NUR 605 – Eric S. Knaebe, R.N.
 33. 22 NUR 674 – Deborah L. Chitel, L.P.N.
 34. 22 NUR 722 – Kristen J. Redmond, R.N.
 35. 22 NUR 731 – Jennifer R. Basinger, R.N.
 36. 22 NUR 790 – Tia A. Saarnio, L.P.N.
 37. 22 NUR 638 – Jessica M. Gast, L.P.N.
 38. 23 NUR 001 – Ian F. Conradt, R.N.
 39. 23 NUR 019 – Brenda E. Dembinski, R.N.
 40. 23 NUR 021 – Cheryl A. Vader, R.N., A.P.N.P.
- Motion carried unanimously.

CREDENTIALING MATTERS

Application Reviews

Holly Davis – RN Reinstatement Applicant

MOTION: Janice Edelstein moved, seconded by Linda Scott, to issue an intent to deny the RN Reinstatement application of Holly Davis, and offer a limited license for purposes of completing a refresher course (both theory and clinical). After successful completion of the refresher course, applicant shall receive a limited license with a two-year impairment order. **Reason for Denial:** noncompliance with previous Board orders and conditions of reinstatement of voluntary surrender. Motion carried unanimously.

DELIBERATION ON PROPOSED FINAL DECISION AND ORDERS

Nichole M. Dorn, L.P.N., Respondent – DHA Case Number SPS-22-0037/DLSC Case Numbers 20 NUR 337, 20 NUR 564

MOTION: John Anderson moved, seconded by Linda Scott, to delegate to DSPS Chief Legal Counsel the Board’s authority to preside over and resolve the matter of disciplinary proceedings against Nichole M. Dorn, L.P.N., Respondent – DHA Case Numbers SPS-22-0037/DLSC Case Number 20 NUR 337, 20 NUR 564. Motion carried unanimously.

Amber L. Opdahl, R.N., Respondent – DHA Case Number SPS-22-0062/DLSC Case Number 21 NUR 175

MOTION: John Anderson moved, seconded by Robert Weinman, to delegate to DSPS Chief Legal Counsel the Board’s authority to preside over and resolve the matter of disciplinary proceedings against Amber L. Opdahl, R.N., Respondent – DHA Case Number SPS-22-0062/DLSC Case Number 21 NUR 175. Motion carried unanimously.

Christina E. Riel, R.N., Respondent – DHA Case Number SPS-22-0063/DLSC Case Number 22 NUR 229

MOTION: Robert Weinman moved, seconded by Vera Guyton, to delegate to DSPS Chief Legal Counsel the Board’s authority to preside over and resolve the matter of disciplinary proceedings against Christina E. Riel, R.N., Respondent – DHA Case Number SPS-22-0063/DLSC Case Number 22 NUR 229. Motion carried unanimously.

Noelle C. Stone, L.P.N., Respondent – DHA Case Number SPS-22-0053/DLSC Case Number 21 NUR 721

MOTION: Vera Guyton moved, seconded by Janice Edelstein, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order, in the matter of disciplinary proceedings against Noelle C. Stone, L.P.N., Respondent – DHA Case Number SPS-22-0053/DLSC Case Number 21 NUR 721. Motion carried unanimously.

Nola M. Tyrrell, L.P.N., Respondent – DHA Case Number SPS-22-0059/DLSC Case Number 20 NUR 304

MOTION: Linda Scott moved, seconded by Vera Guyton, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order, in the matter of disciplinary proceedings against Nola M. Tyrrell, L.P.N., Respondent – DHA Case Number SPS-22-0059/DLSC Case Number 20 NUR 304. Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

Monitoring Matters

***Christine Brueckert, R.N.
Requesting a Reduction in Drug/Alcohol Screens***

MOTION: Robert Weinman moved, seconded by Linda Scott, to grant the request of Christine Brueckert, R.N., for a reduction in drug/alcohol screens to thirty-six (36) tests per year. Motion carried unanimously.

Michelle Dettlaff, R.N.
Requesting Termination of Treatment

MOTION: John Anderson moved, seconded by Vera Guyton, to grant the request of Michelle Dettlaff, R.N., for termination of treatment. Motion carried unanimously.

Caitlyn Ellison, R.N.
Requesting Full Licensure

MOTION: Janice Edelstein moved, seconded by Emily Zentz, to grant the request of Caitlyn Ellison, R.N., for full licensure. Motion carried unanimously.

Kristin Feltz, R.N.
Requesting Full Licensure

MOTION: Robert Weinman moved, seconded by Janice Edelstein, to grant the request of Kristin Feltz, R.N., for full licensure. Motion carried unanimously.

Bruce Freeman, R.N., A.P.N.P.
Requesting Full Licensure

MOTION: Emily Zentz moved, seconded by John Anderson, to grant the request of Bruce Freeman, R.N., A.P.N.P., for full licensure. Motion carried unanimously.

Daphne Genrich, R.N.
Requesting Full Licensure

MOTION: Robert Weinman moved, seconded by Vera Guyton, to grant the request of Daphne Genrich, R.N., for full licensure. Motion carried unanimously.

Elizabeth Krajewski, R.N.
Requesting Reduction in Drug/Alcohol Screens and Termination of Treatment Requirement

MOTION: Emily Zentz moved, seconded by Linda Scott, to grant the request of Elizabeth Krajewski, R.N., for a reduction in drug/alcohol screens to thirty-six (36) tests per year plus one annual hair test and termination of treatment requirement. Motion carried unanimously.

Lacy Kranski, R.N.
Requesting Full Licensure

MOTION: Robert Weinman moved, seconded by Vera Guyton, to grant the request of Lacy Kranski, R.N., for full licensure. Motion carried unanimously.

Lisa Martell, R.N.
Requesting Full Licensure

MOTION: Janice Edelstein moved, seconded by John Anderson, to grant the request of Lisa Martell, R.N., for full licensure. Motion carried unanimously.

Jesse Stecker, R.N.
Requesting Full Licensure

MOTION: John Anderson moved, seconded by Emily Zentz, to grant the request of Jesse Stecker, R.N., for full licensure. Motion carried unanimously.

Vera Guyton was excused at 11:40 a.m.

Jennifer Amble, R.N.
Requesting Full Licensure

MOTION: Janice Edelstein moved, seconded by Linda Scott, to grant the request of Jennifer Amble, R.N., for full licensure. Motion carried unanimously.

Stephanie Geiger, R.N.
Requesting a Reduction in Drug/Alcohol Screens and a Reduction in AA/NA Meeting Attendance

MOTION: Emily Zentz moved, seconded by John Anderson, to grant the request of Stephanie Geiger, R.N., for a reduction in Drug/Alcohol Screens to twenty-eight (28) screens per year plus one annual hair test and a Reduction in AA/NA Meeting Attendance to twice monthly. Motion carried unanimously.

Abby Gifford (Harris), R.N.
Requesting to Terminate Work Report Requirement

MOTION: Robert Weinman moved, seconded by John Anderson, to deny the request of Abby Gifford (Harris), R.N., for termination of work report requirement. **Reason for Denial:** Failure to demonstrate continuous and successful compliance under the terms of the Board Order (6/11/2020). Motion carried unanimously.

Deborah Le Sieur, L.P.N.
Requesting Full Licensure

MOTION: Robert Weinman moved, seconded by Janice Edelstein, to grant the request of Deborah Le Sieur, L.P.N., for full licensure. Motion carried unanimously.

Kathryn Techmeier, R.N.
Requesting a Reduction in Drug/Alcohol Screens and to Eliminate AA/NA Meeting Requirement

MOTION: Robert Weinman moved, seconded by John Anderson, to grant the request of Kathryn Techmeier, R.N., for a reduction in drug/alcohol screens to fourteen (14) tests per year plus one annual hair test and to eliminate AA/NA Meeting requirement. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Robert Weinman moved, seconded by Janice Edelstein, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 12:03 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Linda Scott moved, seconded by John Anderson, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

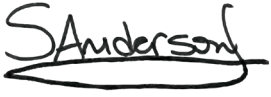
ADJOURNMENT

MOTION: Robert Weinman moved, seconded by John Anderson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:04 p.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Sofia Anderson, Administrative Rules Coordinator		2) Date when request submitted: 05/04/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: May 11, 2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rules Matters – Discussion and Consideration 1. Second Extension Letter: EmR 2215 - N2, relating to modification of the Board review process to take the NCLEX. 2. Discussion permanent rule N 2 Public Hearing, relating to modification of the Board review process to take the NCLEX. 3. Pending and Possible rulemaking projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Attachments: 1. Second Extension Letter: EmR 2215 - N 2 relating to modification of the Board review process to take the NCLEX. 2. Notice of Public Hearing: N 2, relating to modification of Board review process to take the NCLEX. 3. Nursing rule projects chart.			
11) Authorization			
		05/04/2023	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin
Department of Safety & Professional Services**

Robert Weinman
Chairperson

Emily Zentz
Vice Chairperson

Janice Edelstein
Secretary

BOARD OF NURSING



4822 Madison Yards Way
PO Box 8366
Madison WI 53708-8366

Email: dsps@wisconsin.gov
Voice: 608-266-2112
FAX: 608-251-3032

May 11, 2023

Senator Stephen Nass, Senate Co-Chairperson
Joint Committee for Review of Administrative Rules
Room 10 South, State Capitol
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson
Joint Committee for Review of Administrative Rules
Room 204 North, State Capitol
Madison, WI 53702

RE: Request for Extension of Emergency Rule EmR 2215, under Wisconsin Statutes Section 227.24

Dear Senator Nass and Representative Neylon:

I am writing to request a second 60-day extension of EmR 2215, an emergency rule relating to the modification of the Board review process to take the NCLEX. The emergency rule documents can be found here:

https://docs.legis.wisconsin.gov/code/emergency_rules/all/emr2215 and a copy is also attached to this letter.

The emergency rule allows the Board to modify the eligibility process for applicants to take the national examination, also known as NCLEX, in order to process nursing applications faster. The emergency rule is set to expire on June 28, 2023, and the permanent rule is currently being set up for submission to the Legislature for review. Therefore, the Board of Nursing requests an extension of the emergency rule pending completion of the permanent rule promulgation process.

Sincerely,

Robert Weinman
Chairperson

Notice of Hearing

The Board of Nursing announces that it will hold a public hearing on a permanent rule modifying N 2, relating to modification of Board review process to take the NCLEX at the time and place shown below.

Hearing Information

Date: May 19, 2023

Time: 8:00 A.M.

Location: Information concerning the location of the hearing will be available at:

<https://dsps.wi.gov/Pages/BoardsCouncils/Nursing/Meetings.aspx>

Appearances at the Hearing and Submittal of Written Comments

The rule may be reviewed and comments submitted at:

<http://docs.legis.wisconsin.gov/code/chr/hearings>.

Comments may also be submitted to Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov.

Comments must be received at or before the public hearing to be included in the record of rulemaking proceedings.

Initial Regulatory Flexibility Analysis

The proposed rule will not have an effect on small businesses, as defined under s. 227.114 (1).

Agency Small Business Regulatory Coordinator

The Department's Regulatory Review Coordinator may be contacted by email at

Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

**Board of Nursing
Rule Projects (Updated 05/01/2023)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Date Scope Requested by Board	Rules Affected	Relating Clause	Synopsis	Stage of Rule Process	Next step
	044-22	11/23/2024	N/A	Med 26	Military Medical Personnel (emergency rule)	Medical Board rule project would create provisions in order to implement 2021 WI Act 158.	Approved by the Governor.	Publication in the Wisconsin State Journal.
	049-22	12/20/2024	N/A	SPS 11	Military Medical Personnel (emergency rule)	Rule project would create provisions in SPS code relating to the operation and administration of the military medical personnel program.	Submitted to the Governor's office for review. Pending approval.	Publication in the Wisconsin State Journal.

Emergency Rules

EMR Number	Scope #	Scope Expiration	Date Scope Requested by Board	Rules Affected	Relating Clause	Synopsis	Stage of Rule Process	Next step
EmR 2215	084-22	4/24/2025	8/11/2022	N 2	Modification of Board review process to take the NCLEX	The Board would like to revise the requirement that the Board needs to make applicants for licensure eligible to take the NCLEX in order to speed up the application process.	Second extension due by May 28, 2023. Request letter ready for review by the Board.	Submission to Joint Committee for review.

**Board of Nursing
Permanent Rules**

Clearinghouse Rule Number	Scope #	Scope Expiration	Date Scope Requested by Board	Rules Affected	Relating Clause	Synopsis	Stage of Rule Process	Next step
	084-22	4/24/2025	8/11/2022	N 2	Modification of Board review process to take the NCLEX	The Board would like to revise the requirement that the Board needs to make applicants for licensure eligible to take the NCLEX in order to speed up the application process.	Rule submitted to Clearinghouse for review.	After public hearing, drafting final rule draft and submission to Governor's office.

Scope Statements

Clearinghouse Rule Number	Scope #	Scope Expiration	Date Scope Requested by Board	Rules Affected	Relating Clause	Synopsis	Stage of Rule Process	Next step
			2/9/2023	N 6	Delegated Acts	Review and update chapter N 6 to clarify and further define delegated acts.	Submitted to Governor's Office.	After Governor's approval, submission of scope to Administrative Register for publication.
			10/8/2020	N 8	APNP prescribing limitations	Review of limitations in N8 regarding APNPs prescribing certain drugs.	Scope submitted to Governor's Office, 11/24/20.	
			7/30/2020	N 8	Collaboration with other health care providers	Review of the collaboration requirements in N8 and other changes throughout the chapter.	Scope submitted to Governor's Office, 10/15/20.	

Board of Nursing

			6/11/2020	N 2	Temporary permits	Requirements for temporary permits to respond to a future emergency and may promulgate a permanent rule to allow the Board to grant a waiver of or variance to the requirements in emergency situations.	Scope submitted to Governor's Office on 10/15/20	
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**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Janie Brischke, Program Policy Analyst Adv		2) Date when request submitted: May 1, 2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: May 11, 2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Board of Nursing – Division of Legal Services and Compliance Annual Report/January 1, 2022 – December 31, 2022	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <Appearance Name(s)> <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: The Board of Nursing requested an Annual Report for 2022 from DLSC. The report is being submitted for approval by the Board			
11) Authorization			
<i>Janie Brischke</i>		<i>May 1, 2023</i>	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

BOARD OF NURSING

**DIVISION OF LEGAL SERVICES AND COMPLIANCE
ANNUAL REPORT
(JANUARY 1, 2022 – DECEMBER 31, 2022)**



The Board of Nursing is created in [Wis. Stat. § 15.405\(7g\)](#) and has authority as outlined in [Wis. Stat. ch. 441](#)

The Wisconsin Department of Safety and Professional Services (DSPA), Division of Legal Services and Compliance (DLSC) provides legal services to professional boards, regulated industries and the Department regarding the investigation and prosecution/discipline of licensed credential holders for violations of statute and administrative rule (professional regulations). DLSC is also responsible for the complaint intake process, compliance monitoring (“Monitoring”) and a confidential program for impaired professionals named, Professional Assistance Procedure (PAP). In addition, the division conducts business inspections for pharmacies, drug distributors and manufacturers, funeral establishments, and barber and cosmetology schools and establishments.

As the Board of Nursing (BON) is charged with ensuring competent practice of licensed nurse professionals in the State of Wisconsin by protecting the public, deterring conduct, and rehabilitating the licensee, it enlists the services of DLSC to accomplish these goals. As part of these services, DLSC provides a Nursing Team and other staff comprised of attorneys, consumer complaint program associates, consumer protection investigators, management staff, paralegals, regulatory specialists, and a program policy analyst.

The following briefly summarizes the responsibilities of these positions:

- **Attorneys (Prosecutors)**
Performs specialized legal services relating to one or more areas of law. Participates in hearings of varied complexity in connection with the administration of state laws and regulations. Prepares pleadings, briefs, legal options, orders, and all types of legal documents and memorandums. Examines witnesses, and issues subpoenas requiring appearance of witnesses and the production of documents. Prepares findings of fact and conclusions of law and negotiates orders.
- **Consumer Complaint Program Associate**
Evaluates and reviews incoming complaints and request information; processes the opening and/or closing of cases and monitors complaints in the initial review process. Also performs other administrative and program-related support to DLSC.
- **Consumer Protection Investigators**
Plans, develops, and conducts comprehensive investigations involving compliance with, or violations of, a wide range of statutes, rules, regulations, and/or standards.
- **Management Staff**
Supervises subordinates and manages programs within DLSC.
- **Paralegals**
Performs a wide range and combination of professional-level, law-related activities to assist DLSC staff attorneys in the delivery of legal services, conducts specialized or complex legal research, assist attorneys at hearings, and drafts and prepares a variety of legal documents.
- **Program Policy Analyst Advanced**
Performs comprehensive analysis, planning, development, and implementation related to policies/programs and management. Conducts research, develops project reporting and public information, and provides administrative assistance.
- **Regulatory Specialists (Monitoring and PAP)**
Performs regulatory work in the areas of compliance and/or enforcement for licensees who are being monitored with disciplinary orders and/or enrolled in the PAP.

In general, DSPS/DLSC operates based on a complaint-driven process, meaning most of the compliance and disciplinary actions are the result of complaints submitted by outside sources, rather than DSPS/DLSC's active search for misconduct. The complaint itself may come from a variety of sources, such as consumers, media, and credentialed professionals, who alert DSPS to the potential misconduct.

At other times, disciplinary action may be the direct result of inquiry by DSPS in conjunction with or at the request of the BON. An example of such is the violation of a board order or practicing without an active license. Actions taken by the BON on such matters are the result of information received from DSPS.

Screening

Once a complaint is received, it is routed to an attorney screener for review. The opening/closing of a complaint based on delegated authority from the BON or the attorney screener may refer the complaint to the entire BON screening panel. The BON screening panel consists of board members (nurse professionals and public members) as well as a DLSC prosecuting attorney. The BON screening panel brings together the professional expertise of the board with the legal expertise of the DLSC attorney.

The screening panel confers and determines whether a violation(s) may have occurred based on information provided. The panel may consider many factors, such as the seriousness of the allegations, the harm or threat of harm, whether the dispute is already resolved, and whether the matter is primarily a civil or private dispute. If a complaint does have merit, or requires further investigation, the case is opened for investigation.

If a complaint does not warrant further action, it is closed at screening and a closeout letter is sent to the parties. For example, the panel may close a complaint when it is determined that no violation has occurred or if there is a lack of jurisdiction over the matter.

Investigation

When a case is opened for investigation, a case advisor will be assigned, along with a DLSC attorney, investigator, and paralegal. At the conclusion of the investigation, DLSC staff will submit the findings of the investigation to the case advisor, who is a member of the Board that provides professional expertise on the licensee's alleged misconduct. If the evidence is insufficient to prove a violation or proves that no violation occurred, or there are other legal reasons not to pursue prosecution, the case advisor and the DLSC prosecuting attorney will determine the specific basis for closing the case.

Legal Action

If the investigation finds by a preponderance of evidence that a violation has occurred, the case advisor and DLSC staff will consider options available to resolve the matter. In some circumstances, the matter may be resolved through non-disciplinary action such as an administrative warning or remedial education. However, if the licensee's misconduct cannot be corrected with a non-disciplinary option, or if the misconduct is common enough that all licensees within the profession must be alerted to its substandard nature, formal discipline may be warranted.

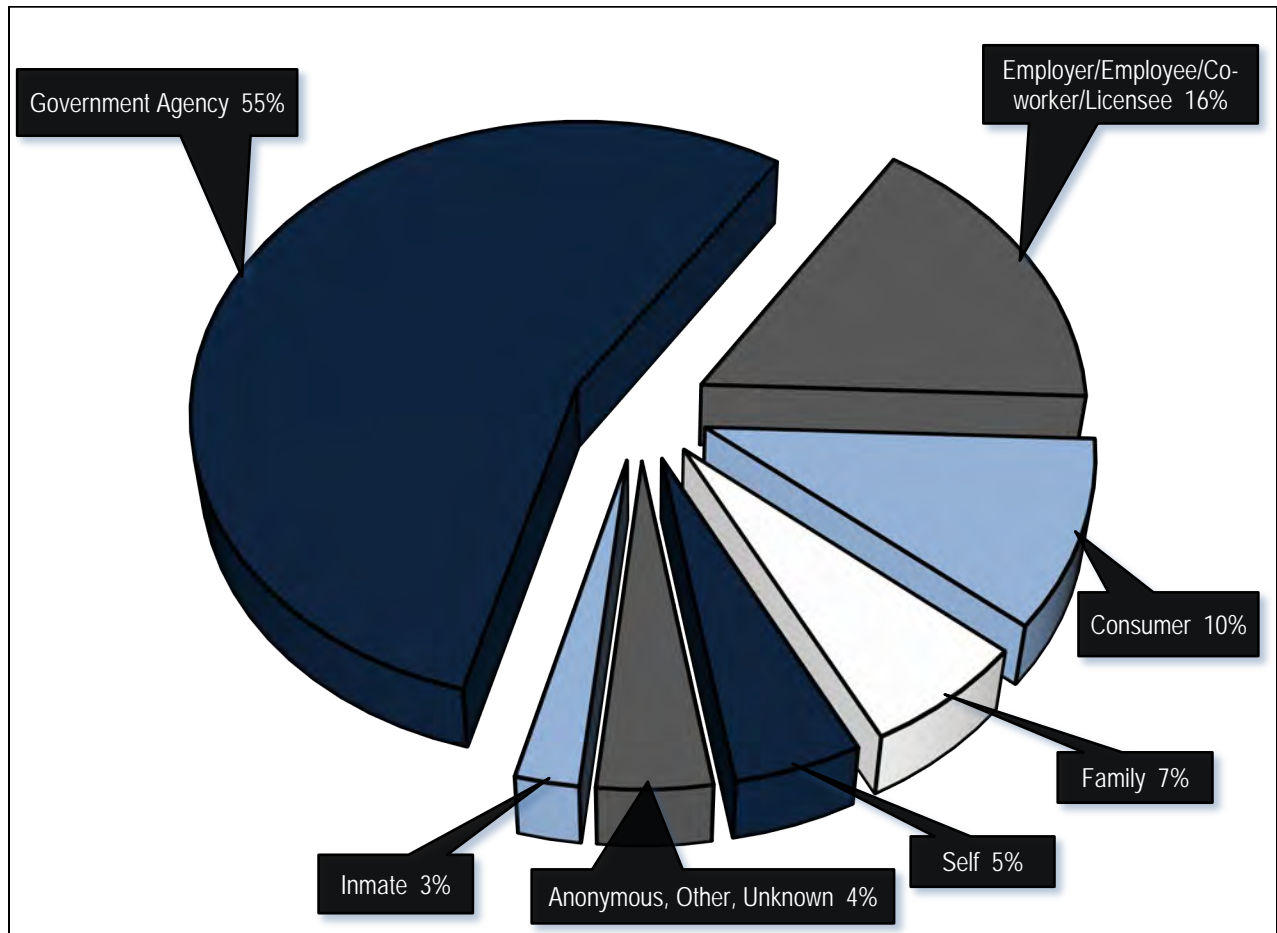
When formal discipline is warranted, the case advisor and DLSC legal staff will determine appropriate discipline and make specific recommendations to the BON for case resolution. Disciplinary action may be agreed to by the respondent in a stipulation, or, if an agreement cannot be reached, discipline may be pursued through the formal hearing process. Disciplinary options available to the BON include:

- **Reprimand** – A public warning of the licensee for a violation.
- **Limitation of License** – Imposes conditions and requirements upon the credential and/or restrictions on the scope of the practice.
- **Suspension** – Completely and absolutely withdraws and withholds for a period of time all rights, privileges, and authority previously conferred by the credential.
- **Revocation** – To completely and absolutely terminate the credential and all rights, privileges, and authority previously conferred by the credential.

SOURCES OF COMPLAINTS RECEIVED

Data from January 1, 2022, to December 31, 2022

The BON received **879** complaints in 2022. There are multiple ways in which the BON may receive a complaint. Below is a graphical representation of the sources of the complaints received in 2022. It is important to note that a complaint may be received in one year, however, due to the nature or course of the investigation, the complaint may not be resolved until the subsequent year(s). Also, a complaint may have more than one source.



Note:

Government Agency includes Federal, State (Wisconsin Department of Health Services*, Wisconsin Department of Safety & Professional Services, County, Police

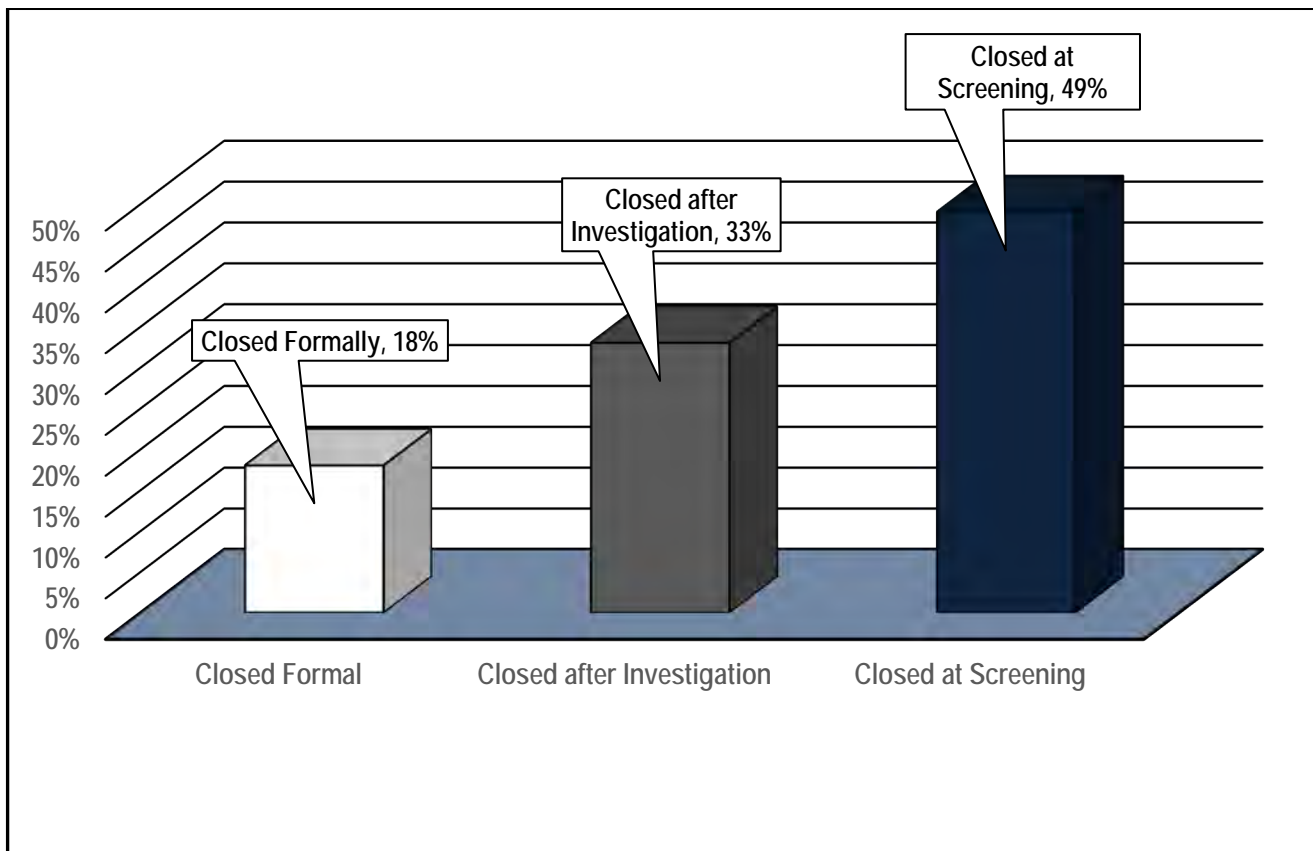
**Wisconsin Department of Health Services – Complaints are received based on a Memorandum of Understanding titled “Notification of Substandard Quality of Care and Referral of Credentialed Caregivers” between Department of Health Services and Department of Safety and Professional Services.*

WHEN ARE COMPLAINTS OR CASES CLOSED? Data from January 1, 2022 to December 31, 2022

Complaints/cases (respondents) may be closed in the following ways:

- ➔ Closed Formally - the BON issues a formal disciplinary order. The allowable purposes of discipline are protection of the public, rehabilitation of the credential holder and deterrence. (Refer to disciplinary options on page 3)
- ➔ Closed After investigation when the BON case advisor, in conjunction with DLSC professionals, determines that the matter does not warrant professional discipline. Cases (respondents) may close for the following reasons: Prosecutorial Discretion, Administrative Warning, Lack of Jurisdiction, No Violation, Insufficient Evidence, Administrative Closure. For a case to close after investigation, the BON must take action.
- ➔ Closed at Screening - The prescreening attorney or screening panel determines that an investigation is not warranted. Screening is an exercise of delegated authority (Wis. Admin. Code. SPS § 2.035)

Note: The following is a graphical representation of how complaints or cases (respondents) were closed in 2022. It is important to note that cases closed in 2022 may have been received in previous years.



SUMMARY OF FINAL DECISIONS AND ORDERS ISSUED BY THE BON

Data from January 1, 2022 to December 31, 2022

The BON issues Final Decisions and Orders (disciplinary actions). The case advisor works with DLSC legal staff to determine the most appropriate discipline based on the violation(s). Considerations in determining discipline include the historical practices of the BON, prior violations by the licensee, the severity of the conduct (including the risk of potential harm), and the quality of evidence. Discipline is not punitive. Actions taken against a license or licensee should be limited to the purposes of public protection, rehabilitation of the licensee, deterrence of the licensee and others from engaging in similar conduct. The following table represents the types of disciplinary actions issued in 2022.

Final Decisions and Orders Details/Actions	Numbers
Surrender	26
Reprimand Requiring Education	26
Remedial Education	19
Suspension + 5 Year Limitations	19
Reprimand	10
Suspension	9
Reprimand - Requiring Compliance with PAP	9
Interim Order	9
Reprimand + 2 Year Limitations (AODA Assessment + Treatment)	5
Reprimand or Suspension - Maintain Compliance with Another State/Agency Order	5
Revocation	4
Suspension + 2 Year Mentor/Supervision	4
Suspension - Fitness to Practice + AODA	3
Suspension - Requiring Education	3
Reprimand - Mentor/Supervision + Education	3
Reprimand - AODA Assessment	2
Reprimand - Fitness to Practice + AODA	2
Suspension (Summary)	1
Total	159

The BON also issues other orders/action subsequent to license application or related to monitoring and PAP. These orders include monitoring actions, dismissals, review/rehearing denials, and credentialing actions. Below is a summary of those orders.

Other Orders/ Action Issued	Numbers
Granting Full Licensure	87
Granting Modification(s)	33
Order Granting Limited License	30
Fixing Costs	30
Order Suspending License	23
Granting in Part & Denying in Part	20
Order Terminating Suspension	16
Denying Modification/Denying Request	13
Granting/Reinstating Stay of Suspension	11
Limitation - Nurse Refresher Course	11
Order Removing Stay of Suspension	8
Order Imposing Additional Limitations	6
Total	288

Note: Final Decision and Orders/Actions and Other Orders/Action Issued numbers represent the following scenarios: respondent has single nurse license type; action taken against respondent with multiple nurse license types on same order; multiple complaints against respondent with similar allegations on same order.

MONITORING

As part of its role in protecting the public, the BON may direct the DLSC to monitor a licensee's compliance with a Final Decision and Order or Order Granting a Limited License. As of April 2023, **305** nurse professionals (Advanced Practice Nurse Prescriber, Registered Nurse, Licensed Practical Nurse, and Nurse – Midwife) are actively being monitored as a result of a disciplinary order.

The Department Monitor(s) are housed within the DLSC's Administrative Unit, which consists of regulatory specialists. Active monitoring requires considerable resources and action by Department Monitors to ensure compliance with orders and decisions. Examples of such requirements include recovery of costs, work reports, drug screenings, therapy, and education.

Below is a list of the types of disciplines/actions that are monitored:

- **Education:** The licensee is required to take continuing education in a specific topic (could be remedial or disciplinary).
- **Exam:** The licensee is required to take and pass an examination.
- **Impairment:** The licensee is suspended for a period (ordinarily two or five years), with the possibility of a stay of suspension that allows the licensee to practice if the licensee remains in compliance with the Order. The licensee must undergo random drug screens, attend AA/NA meetings, enter treatment, submit self-reports, and arrange for therapy and work reports. *Note: if it is a two-year order, then AA/NA meetings, enter treatment, submit self-reports, and arrange for therapy and work reports may not apply.*
- **Limitations:** Conditions and requirements upon the credential holder, or restrictions on the scope of the holder's practice, or both.
- **Mentor:** The licensee is required to have a professional mentor who provides practice consultations and evaluations as specified by the Order.
- **Reports:** The licensee is required to have reports submitted by a third-party (therapist, supervisor, probation officer, etc.).
- **Revocation:** (where costs are assessed): The licensee is prohibited from practicing in the State of Wisconsin but must still pay the costs of the proceeding. If the credential holder reappplies for licensure, the BON may grant the license with or without conditions or deny the license.
- **Suspension:** A licensee is suspended from practice for a set period of time or indefinitely. Some suspensions may be stayed under specific conditions.
- **Voluntary Surrender:** (where costs are assessed): The licensee surrenders the registration and/or license but must still pay the costs of the proceeding. The licensee is prohibited from practice in the State of Wisconsin. If the person reappplies for licensure, the BON may grant the license with or without conditions or may deny the license. Some Orders prohibit the licensee from seeking reinstatement/reapplying after surrendering.

PROFESSIONAL ASSISTANCE PROCEDURE (PAP) PROGRAM

PAP is a program for impaired professionals that encourages individuals to seek help for their impairment through a non-disciplinary contract. As of April 2023, there are **34** nurse professionals (Advanced Practice Nurse Prescriber, Registered Nurse, Licensed Practical Nurse, and Nurse – Midwife) enrolled in the PAP.

- *In 2022, 14 (Advanced Practice Nurse Prescriber, Registered Nurse, Licensed Practical Nurse, and Nurse-Midwife) enrolled into PAP.*
- *In 2022, 1 nursing participant was successfully discharged and completed their agreement.*
- *In 2022, the PAP had 2 forced discharges due to non-compliance.*

If an individual is released from PAP for failure to comply with the voluntary requirements of the program, the BON's PAP Liaison and DLSC's PAP Coordinator may refer the individual to the BON for formal disciplinary procedures, if appropriate.

More information about this unique program designed to both protect the public and assist impaired professionals may be found by reading Wis. Admin. Code ch. SPS 7.

Why does the BON consider PAP an important tool?

- For the majority of chemically dependent professionals, this is an opportunity to seek treatment without losing their professional credentials.
- PAP promotes early identification of chemically dependent professionals and encourages their rehabilitation.
- PAP offers participants an opportunity to obtain treatment for chemical dependency while ensuring that immediate action can be taken should a participant relapse or drop out of treatment. It is important to note that participation in PAP will not exempt the professional from discipline.
- PAP does not provide treatment but monitors participants' progress in treatment with an approved treatment provider, as well as their random drug and alcohol screens.

SUMMARY OF KEY STATISTICS

Data from January 1, 2022 – December 31, 2022

- Complaints Received: **879**
- BON Cases/Respondents Resolved (Closed)
 - Note: Cases may have been received in the year 2022 or prior years.*
 - Respondents/cases closed formally: **178**
 - Respondents/cases closed after investigation (without a formal order): **333**
[**80** of the **333** were Administrative Warnings]
 - Respondents/cases closed at screening: **487**
- Most common discipline issued by the BON: **reprimands, license limitations, and suspensions**
- Primary sources of complaints: **Government Agencies, Consumers, and Employer/Employee/Coworker/Licensee** (*refer to chart on page 4*)
- Nurse professionals currently monitored with disciplinary orders (active) as of April 2022: **305**
- Nurse professionals enrolled in the Professional Assistance Procedure (PAP) program as of April 2022: **34**


**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Katlin Schwartz, Bureau Assistant		2) Date when request submitted: 5/4/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: 5/11/2023	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Newsletter Matters	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: <u>Newsletter Future Planning:</u> Based on the typical schedule of the Board, the next newsletter will be due out in May 2023 with a deadline for article submission on April 28, 2023. A newsletter deadline reminder will be sent to article authors on April 21, 2023. The Board should discuss topics for the next newsletter and consider the topic list as outlined below. Articles/Ideas: <ul style="list-style-type: none"> • Chair's Corner – Robert Weinman <ul style="list-style-type: none"> ○ Administrative Code N7 ○ 48-hour reporting reminder • Rotating Articles on Professional Nursing Roles – Linda Scott (January 2023) & Emily Zentz (May 2023) • Photo: Lt. Governor Visit • Reminder to Update Contact Information – DSPS Staff • Rotating Articles on Nurse Administrative Code • Application Processing Tips – DSPS Staff (<i>Subject to Executive Director approval</i>) • Possibilities in the Nursing Field/Reasons to Become a Nurse – Robert Weinman • Clinician Well-being, Burnout, and Health and Wellness <ul style="list-style-type: none"> ○ The Impact of Stress: Strategies to Improve Clinician Wellbeing (Paven, Scott) • New Generation of NCLEX New Test plan (NCSBN Website) – Linda Scott • Recruitment for the Nursing Field – WNA (<i>Subject to Executive Director approval</i>) (<i>May Newsletter</i>) <ul style="list-style-type: none"> ○ Where are our Public Health Nurse Leaders (Scott, Gillespie) • New Member Introduction Articles/Photos (<i>As needed for new appointments, subject to new member appointments and oath receipts</i>) 			
11) <i>Katlin Schwartz</i> Signature of person making this request		Authorization <div style="text-align: right;"><i>5/4/2023</i></div> Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski, executive director		2) Date when request submitted: 5/3/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: 05/11/2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Speaking Engagements, Travel, Public Relation Requests, and Reports	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <Appearance Name(s)> <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: <Click Here to Add Case Advisor Name or N/A>	
10) Describe the issue and action that should be addressed: 2023 Executive Officers Leadership Summit – June 21 – 23, 2023 – Newport Beach, CA			
11) Authorization			
		05/03/2023	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
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