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

10:00 A.M.
(OR IMMEDIATELY FOLLOWING THE NURSING LEGISLATION AND RULES COMMITTEE MEETING)

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-4)

B. Approval of Minutes of September 14, 2017 (5-11)

C. Administrative Matters
   1) Board Members – Term Expiration Dates:
      a. Paul Abegglen – 07/01/2019
      b. Jennifer Eklof – 07/01/2021 (appointed but not yet confirmed)
      c. Elizabeth Smith Houskamp – 07/01/2020 (appointed but not yet confirmed)
      d. Peter Kallio – 07/01/2018
      e. Sheryl Krause – 07/01/2018
      f. Lillian Nolan – 07/01/2019
      g. Luann Skarlupka – 07/01/2021 (re-appointed but not yet confirmed)
      h. Cheryl Streeter – 07/01/2018
      i. Pamela White – 07/01/2019 (appointed but not yet confirmed)
   2) Staff Updates

D. Education and Examination Matters - Discussion and Consideration

E. Legislative/Administrative Rule Matters - Discussion and Consideration (12-16)
   1) Adopt CR 16-071 Relating to Examining Councils
   2) Update on Legislation and Pending or Possible Rulemaking Projects

F. National Council of State Boards of Nursing (NCSBN) Items - Discussion and Consideration
   1) Update as to Nurse Compact (NLC) and Enhanced Nurse Compact (eNLC)

G. Board of Nursing Liaison Reports - Discussion and Consideration
H. Speaking Engagement(s), Travel, or Public Relation Request(s)- Discussion and Consideration

I. Informational Items

J. Deliberation on Items Added After Preparation of Agenda:
   1) Introductions, Announcements and Recognition
   2) Election of Officers
   3) Appointment of Liaison(s)
   4) Delegation of Authorities
   5) Administrative Matters
   6) Education and Examination Matters
   7) Credentialing Matters
   8) Practice Matters
   9) Legislative/Administrative Rule Matters
   10) Liaison Reports
   11) Board Liaison Training and Appointment of Mentors
   12) Informational Items
   13) Disciplinary Matters
   14) Presentations of Petitions for Summary Suspension
   15) Petitions for Designation of Hearing Examiner
   16) Presentation of Proposed Stipulations, Final Decisions and Orders
   17) Presentation of Proposed Final Decision and Orders
   18) Presentation of Interim Orders
   19) Petitions for Re-Hearing
   20) Petitions for Assessments
   21) Petitions to Vacate Orders
   22) Requests for Disciplinary Proceeding Presentations
   23) Motions
   24) Petitions
   25) Appearances from Requests Received or Renewed
   26) Speaking Engagement(s), Travel, or Public Relation Request(s)

K. 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.).

L. Deliberation on Credentialing Matters
   1) Jill Hughes #617335 — Discipline Review (17-137)
   2) Kimberly Willard #616736 — Discipline Review (138-180)
   3) Eberechukwu Anike #621024 – Application Review (181-193)
M. Deliberation on Division of Legal Services and Compliance (DLSC) Matters

1) Attorney Amanda Florek
   a. Administrative Warnings
      1. 17 NUR 311 – L.J.S. (194-195)
   b. Stipulations and Final Decisions and Orders
      1. 16 NUR 014 – C.M.B. (196-207)
      2. 16 NUR 334 – J.A.A. (208-214)
      3. 16 NUR 487 – A.D.M. (215-220)
      4. 17 NUR 359 – A.G. (221-228)

2) Attorney Kim Kluck
   a. Stipulations and Final Decisions and Orders
      1. 16 NUR 542 – J.M.S. (229-236)
      2. 16 NUR 705 – J.M.K. (237-243)

3) Attorney Yolanda McGowan
   a. Stipulations and Final Decisions and Orders
      1. 15 NUR 019 – D.L.F. (244-251)

4) Case Closures

5) Monitoring
   a. Kelly Edlebeck, R.N. (252-277)
   b. Department Monitor Jesse Benisch
      1. Bridgette Brown, R.N. – Requesting Full Licensure (278-300)
      2. Jerry Perkins, R.N. – Requesting Full Licensure (301-315)
      5. Julie Wilcox, R.N. – Requesting Full Licensure (353-376)

N. Deliberation on Orders Fixing Costs in the Matter of Disciplinary Proceedings Against:


O. Deliberation of Items Added After Preparation of the Agenda

1) Education and Examination Matters
2) Credentialing Matters
3) Disciplinary 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) Administrative Warnings
10) Review of Administrative Warnings
11) Proposed Final Decision and Orders
12) Matters Relating to Costs/Orders Fixing Costs
13) Case Closings
14) Board Liaison Training
15) Proposed Interim Orders
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

P. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Q. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

R. Open Session Items Noticed Above not Completed in the Initial Open Session

S. Board Meeting Process (Time Allocation, Agenda Items) – Discussion and Consideration
   1) Newsletter Update
   2) DLSC Request for Discussion Regarding Use of SharePoint (385-386)

T. Board Strategic Planning and its Mission, Vision and Values – Discussion and Consideration

ADJOURNMENT

NEXT MEETING DATE: NOVEMBER 9, 2017

******************************************************************************************
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 at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board’s agenda, please call the listed contact person. 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. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.
BOARD OF NURSING  
MEETING MINUTES  
September 14, 2017

PRESENT: Paul Abegglen, Jennifer Eklof, Peter Kallio, Sheryl Krause, Lillian Nolan, Luann Skarlupka, Cheryl Streeter, Pamela White

EXCUSED: Elizabeth Smith-Houskamp

STAFF: Dan Williams, Executive Director; Sharon Henes, Administrative Rules Coordinator; Laura Smith, Bureau Assistant; Nifty Lynn Dio, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Sheryl Krause, Chair, called the meeting to order at 10:01 a.m. A quorum was confirmed.

ADOPTION OF THE AGENDA

Amendments to the Agenda

- Correction: N.1.b.5 Case Number from 16 NUR 571 to 16 NUR 564
- Correction: O.2 from Jackson, Kimberly, R.N. to Kimberly Jackson, L.P.N.

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

APPROVAL OF MINUTES OF JULY 13, 2017

MOTION: Peter Kallio moved, seconded by Jennifer Eklof, to approve the minutes of July 13, 2017 as published. Motion carried unanimously.

BOARD OF NURSING LIAISON REPORTS

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to appoint Sheryl Krause as Legislative Liaison. Motion carried unanimously.

INFORMATIONAL ITEMS

CGFNS International Inc. Honors Barbara Nichols

MOTION: Peter Kallio moved, seconded by Pamela White, to recognize Barbara Nichols for being honored by the CGFNS International as a distinguished leader. Motion carried unanimously.

CLOSED SESSION

MOTION: Peter Kallio moved, seconded by Cheryl Streeter, 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.). Sheryl Krause, Chair, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Paul Abegglen-yes; Jennifer Eklof-yes; Peter Kallio-yes; Sheryl Krause-yes; Lillian Nolan-yes; Cheryl Streeter-yes; Pamela White-yes. Motion carried unanimously.
The Board convened into Closed Session at 10:48 a.m.

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 3:08 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Cheryl Streeter moved, seconded by Paul Abegglen, to affirm all motions made 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.)

APPEARANCE: DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) ATTORNEY KIM KLUCK AND RESPONDENT: REVIEW OF ADMINISTRATIVE WARNING WARN0000678/DLSC CASE NO. 17 NUR 136

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to rescind the Administrative Warning against T.J.S. and close the case for Insufficient Evidence. Motion carried unanimously.

(Paul Abegglen recused himself and left the room for deliberation and voting in the matter of WARN00000678/DLSC Case No. 17 NUR 136 Administrative Warning Review.)

DELIBERATION ON CREDENTIALING MATTERS

Susan Nytes #581112 – Conviction Review

MOTION: Luann Skarlupka moved, seconded by Cheryl Streeter, to deny the Advance Practice Nurse Practitioner (A.P.N.P.) license application of Susan Nytes, and to refer the case to DLSC for investigation. **Reason for Denial:** Failure to report convictions to the Board as required by Wis. Stat. §§ 440.03(13)(am) and 441.07(1g)(b), and Wis. Admin. Code §§ SPS 4.09(2) and N 7.03(1)(h). Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Attorney Amanda Florek

*Administrative Warnings*

**16 NUR 179 – B.D.F.**

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to issue an Administrative Warning in the matter of DLSC Case No. 16 NUR 179 against B.D.F. Motion carried unanimously.
Proposed Stipulations, Final Decisions and Orders

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:
1. 16 NUR 038 and 17 NUR 029 – C.L.V.
2. 16 NUR 290 – E.U.A.
3. 16 NUR 290 – J.H.G.
4. 16 NUR 481 – S.L.B.
5. 16 NUR 564 – C.L.N.
6. 16 NUR 571 – S.M.W.
7. 16 NUR 599 – T.M.R.
8. 16 NUR 646 – K.L.F.
9. 17 NUR 027 – M.G.M.
10. 17 NUR 032 – C.M.S.
11. 17 NUR 371 – E.M.M.
Motion carried unanimously.

DLSC Attorney Kim Kluck

Administrative Warnings

MOTION: Paul Abegglen moved, seconded by Cheryl Streeter, to issue an Administrative Warning in the following DLSC Case Numbers:
1. 16 NUR 667 – B.L.S.
2. 17 NUR 086 – J.J.M.
3. 17 NUR 281 – D.R.G.
Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

MOTION: Pamela White moved, seconded by Jennifer Eklof, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:
1. 16 NUR 174 – L.M.S.
2. 16 NUR 442 – H.H.M.
3. 16 NUR 580 – B.A.W.
4. 16 NUR 620 – T.D.R.
5. 16 NUR 639 – N.A.D.
6. 17 NUR 010 – D.M.L.F.
7. 17 NUR 148 – N.C.P.
Motion carried unanimously.

16 NUR 298 – L.M.W.

MOTION: Paul Abegglen moved, seconded by Luann Skarlupka, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against L.M.W., DLSC Case No. 16 NUR 298. Motion carried unanimously.

(Peter Kallio recused himself and left the room for deliberation and voting in the matter of DLSC Case No. 16 NUR 298 against L.M.W.)
Case Closures

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

1. 14 NUR 692 (V.B.) – No Violation
2. 14 NUR 692 (N.H.) – No Violation
3. 15 NUR 548 – Insufficient Evidence
4. 16 NUR 441 – Insufficient Evidence
5. 16 NUR 462 – Prosecutorial Discretion (P6)
6. 16 NUR 464 – Prosecutorial Discretion (P6)
7. 16 NUR 468 (J.M.) – Insufficient Evidence
8. 16 NUR 468 (M.H.) – Prosecutorial Discretion (P2)
9. 16 NUR 468 (D.H.) – Insufficient Evidence
10. 16 NUR508 – Prosecutorial Discretion (P5)
11. 16 NUR 543 – Prosecutorial Discretion (P6)
12. 16 NUR 548 – Insufficient Evidence
13. 16 NUR 651 – Prosecutorial Discretion (P2)
14. 16 NUR 660 – Insufficient Evidence
15. 16 NUR 682 – Insufficient Evidence
16. 17 NUR 026 – No Violation
17. 17 NUR 156 – Prosecutorial Discretion (P2)
18. 17 NUR 195 – Prosecutorial Discretion (P2)
19. 17 NUR 352 – No Violation

Motion carried unanimously.

Monitoring – Jesse Benisch

Leonard Britt, R.N. – Requesting Full Licensure

MOTION: Cheryl Streeter moved, seconded by Peter Kallio, to grant the request of Leonard Britt, R.N. for full licensure. Motion carried unanimously.

Jennifer Howard, R.N. – Requesting Full Licensure

MOTION: Peter Kallio moved, seconded by Pamela White, to grant the request of Jennifer Howard for full licensure. Motion carried unanimously.

Stacey McCarthy, R.N. – Requesting Termination of AODA Therapy and Reduction in Drug Screens and AA Meetings

MOTION: Peter Kallio moved, seconded by Cheryl Streeter, to grant the request of Stacey McCarthy for termination of AODA therapy and reduction of drug and alcohol screens to 14 per year and one annual hair test while the respondent is not working as a nurse. The Board will increase drug and alcohol testing to 49 per year, once the respondent obtains employment as a nurse. The Board denies the request for reduction in AA meetings.

Reason for Denial: Failure to demonstrate continuous and successful compliance under the terms of the Order (11/13/2014). Motion carried unanimously.
Elizabeth Watts, R.N. – Requesting Florida IPN to be Primary Monitor

MOTION: Lillian Nolan moved, seconded by Pamela White, to grant the request of Elizabeth Watts that the Florida IPN be named the Primary Monitor. Motion carried unanimously.

Stephanie Westlake, R.N. – Requesting Termination of AODA Therapy and Reduction in Drug Screens

MOTION: Cheryl Streeter moved, seconded by Pamela White, to grant the request of Stephanie Westlake for termination of AODA therapy and reduction in drug screens to 36 per year. Motion carried unanimously.

Monitoring – Zoua Cha

Renee Bender, R.N. – Requesting Access to Controlled Substances

MOTION Cheryl Streeter moved, seconded by Peter Kallio, to deny the request of Renee Bender for access to controlled substances. **Reason for Denial:** Failure to demonstrate continuous and successful compliance (i.e. check ins). Respondent needs to fully comply with the complete terms and conditions of the original Board Order (11/06/2008). Motion carried unanimously.

Joni Eberhardy, R.N. – Requesting Full Licensure

MOTION Peter Kallio moved, seconded by Lillian Nolan, to deny the request of Joni Eberhardy for full licensure. **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 (08/20/2015). Motion carried unanimously.

Tracey Hoeppner, R.N. – Requesting Full Licensure or Reduction in Drug and Alcohol Screens and Termination of AA/NA

MOTION: Lillian Nolan moved, seconded by Luann Skarlupka, to grant the request of Tracey Hoeppner for reduction in drug and alcohol screens to 14 per year and one hair test and reduction of AA/NA meetings to one per week. The Board denies the request for full licensure. **Reason for Denial:** Respondent needs to practice nursing under the conditions of the modified Board Order (04/19/2007) before the Board will consider amending other requirements Motion carried unanimously.

Timothy Murphy, R.N. – Requesting Full Licensure

MOTION Cheryl Streeter moved, seconded by Peter Kallio, to deny the request of Timothy Murphy for full licensure, termination of direct supervision and reduction in drug screens. **Reason for Denial:** Failure to demonstrate continuous and successful compliance (i.e. missed check ins and tests). Respondent needs to fully comply with the complete terms and conditions of the original Board Order (05/14/2010). Motion carried unanimously.
Brenda Pecor, L.P.N. – Requesting Access to Controlled Substances

MOTION: Cheryl Streeter moved, seconded by Luann Skarlupka, to grant the request of Brenda Pecor for access to controlled substances. Motion carried unanimously.

Heather Pierce, R.N. – Requesting Full Licensure or Reduction in Drug and Alcohol Screens and Termination of Treatment

MOTION: Cheryl Streeter moved, seconded by Peter Kallio, to grant the request of Heather Pierce for reduction in drug and alcohol screens to 36 per year and termination of treatment. The Board denies the request for full licensure. Insufficient time under the Board Order (05/06/2010) to demonstrate adequate compliance. Motion carried unanimously.

Jessica Placek a.k.a. Maki, R.N. – Requesting Reduction in Drug and Alcohol Screens and Termination of Direct Supervision

MOTION: Peter Kallio moved, seconded by Lillian Nolan, to grant the request of Jessica Placek a.k.a. Maki, R.N. for termination of direct supervision. The Board denies the request for reduction in drug and alcohol screens. **Reason for Denial:** Respondent needs to practice nursing under the conditions of the modified Board Order before the Board will consider amending other requirements. Motion carried unanimously.

Samantha Schlesner, R.N. – Requesting Full Licensure or Termination of Treatment, Reduction in Drug and Alcohol Screens, and Reduction in AA/NA

MOTION: Peter Kallio moved, seconded by Lillian Nolan, to grant the request of Samantha Schlesner for termination of treatment, reduction in drug and alcohol screens to 36 per year, and reduction in AA/NA to one per week. The Board denies the request for full licensure. **Reason for Denial:** Respondent needs to practice nursing under the conditions of the modified Board Order before the Board will consider amending other requirements. Motion carried unanimously.

DELIBERATION ON ORDERS FIXING COSTS

Tracy Burtis, R.N.

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to adopt the Order Fixing costs in the matter of disciplinary proceedings against Tracy Burtis, DHA Case No. SPS-17-0009/DLSC Case No. 15 NUR 629. Motion carried unanimously.

Kimberly Jackson, L.P.N.

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to adopt the Order Fixing costs in the matter of disciplinary proceedings against Kimberly Jackson, DHA Case No. SPS-17-0003/DLSC Case No. 15 NUR 636. Motion carried unanimously.

Ann M. Lenck, R.N.

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to adopt the Order Fixing costs in the matter of disciplinary proceedings against Ann M. Lenck, DHA Case No. SPS-16-0026/DLSC Case No. 14 NUR 692. Motion carried unanimously.
DELIBERATION ON PROPOSED FINAL DECISIONS AND ORDERS

Yvette Johnson-Harris, R.N.

MOTION: Luann Skarlupka moved, seconded by Cheryl Streeter, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Yvette Johnson-Harris, Respondent – DHA Case No. SPS-14-0049/DLSC Case No. 13 NUR 133, with a variance to the level of discipline as recommended by the Division in it’s objections filed July 7, 2017. Motion carried unanimously.

(Lillian Nolan recused herself and left the room for deliberation and voting in the matter of Yvette Johnson-Harris, DHA Case No. SPS-14-0049/DLSC Case No. 13 NUR 133.)

MOTION: Peter Kallio moved, seconded by Paul Abeglen, to designate Sheryl Krause to work with Amber Cardenas to review and sign the variance. Motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 3:14 p.m.
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Name and Title of Person Submitting the Request:</td>
<td>2) Date When Request Submitted:</td>
</tr>
<tr>
<td>Laura Smith, on behalf of Sharon Henes</td>
<td>10/3/17</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</td>
</tr>
<tr>
<td>3) Name of Board, Committee, Council, Sections:</td>
<td></td>
</tr>
<tr>
<td>Board of Nursing</td>
<td></td>
</tr>
<tr>
<td>4) Meeting Date:</td>
<td>5) Attachments:</td>
</tr>
<tr>
<td>10/12/17</td>
<td>x Yes □ No</td>
</tr>
<tr>
<td></td>
<td>6) How should the item be titled on the agenda page?</td>
</tr>
<tr>
<td></td>
<td>Legislative and Administrative Rule Matters</td>
</tr>
<tr>
<td></td>
<td>1. Adopt Clearinhouse Rule 16-071 relating to examining councils</td>
</tr>
<tr>
<td></td>
<td>2. Update on Legislation and Pending and Possible Rulemaking Projects</td>
</tr>
<tr>
<td>7) Place Item in:</td>
<td>8) Is an appearance before the Board being scheduled?</td>
</tr>
<tr>
<td>x Open Session □ Closed Session</td>
<td>□ Yes (Fill out Board Appearance Request) x No</td>
</tr>
<tr>
<td></td>
<td>9) Name of Case Advisor(s), if required:</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>10) Describe the issue and action that should be addressed:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Authorization</td>
</tr>
<tr>
<td></td>
<td>Signature of person making this request Date</td>
</tr>
<tr>
<td></td>
<td>Supervisor (if required) Date</td>
</tr>
<tr>
<td></td>
<td>Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date</td>
</tr>
<tr>
<td></td>
<td>Directions for including supporting documents:</td>
</tr>
<tr>
<td></td>
<td>1. This form should be attached to any documents submitted to the agenda.</td>
</tr>
<tr>
<td></td>
<td>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.</td>
</tr>
<tr>
<td></td>
<td>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</td>
</tr>
</tbody>
</table>
ORDER

An order of the Board of Nursing to repeal ch. N 3 relating to examining councils.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:  Section 203p of 2015 Act 55 repealed s. 15.407(3), Stats.
Section 4416g of 2015 Act 55 repealed s. 441.05, Stats.
Section 4417c of 2015 Act 55 repealed s. 441.10 (2), Stats.

Statutory authority:  441.01 (3), Stats.

Explanation of agency authority:

The board shall approve all rules for the administration of this chapter in accordance with ch. 227. [441.01 (3), Stats]

Related statute or rule:  N/A

Plain language analysis:

Section 15.407(3) created examining councils for registered nurses and licensed practical nurses.

Sections 441.05 and 441.10(2), Stats. had authorized the Board of Nursing to create examining councils for registered nurses and licensed practical nurses in order to prepare or select written examination questions and administer examinations as part of the licensure requirements. This statute was obsolete with the current licensing practice of the requiring candidates to pass a national examination.

2015 Act 55 repealed the statutory creation and authorization for the examining councils. This rule repeals the administrative code chapter, N 3, governing Board of Nursing examining councils in order to reflect current statutes.

Summary of, and comparison with, existing or proposed federal regulation:  None

Comparison with rules in adjacent states:

Illinois:  Illinois does not have examining councils under the Board of Nursing.
Iowa: Iowa does not have examining councils under the Board of Nursing.

Michigan: Michigan does not have examining councils under the Board of Nursing.

Minnesota: Minnesota does not have examining councils under the Board of Nursing.

Summary of factual data and analytical methodologies:
The Board is repealing the chapter to conform to the statutes.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

Fiscal Estimate and Economic Impact Analysis:
The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator may be contacted by email at Kirsten.Reader@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:
Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-261-2377; email at DSPSAdminRules@wisconsin.gov.

---------------------------------------------------------------------------------------------------------------------

TEXT OF RULE

SECTION 1. Ch. N 3 is repealed.

SECTION 2. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

---------------------------------------------------------------------------------------------------------------------

Dated _________________  Agency __________________________________

Board Chair
Board of Nursing
1. Type of Estimate and Analysis
   ✗ Original   [ ] Updated   [ ] Corrected

2. Administrative Rule Chapter, Title and Number
   N 3

3. Subject
   Examining Councils

4. Fund Sources Affected
   [ ] GPR   [ ] FED   ✗ PRO   [ ] PRS   [ ] SEG   [ ] SEG-S

5. Chapter 20, Stats. Appropriations Affected
   20.165(1)(g)

6. Fiscal Effect of Implementing the Rule
   ✗ No Fiscal Effect   [ ] Increase Existing Revenues   [ ] Increase Costs
   [ ] Indeterminate   [ ] Decrease Existing Revenues   [ ] Could Absorb Within Agency’s Budget
   [ ] Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)
   [ ] State’s Economy   [ ] Specific Businesses/Sectors
   [ ] Local Government Units   [ ] Public Utility Rate Payers
   [ ] Small Businesses (if checked, complete Attachment A)

8. Would Implementation and Compliance Costs Be Greater Than $20 million?
   [ ] Yes   ✗ No

9. Policy Problem Addressed by the Rule
   2015 Act 55 repealed the authority of the Board of Nursing examining councils. This rule repeals the related rules.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.
    This rule was posted for economic comments for 14 days and none were received.

11. Identify the local governmental units that participated in the development of this EIA.
    None

12. Summary of Rule’s Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State’s Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)
    This rule will not have an economic or fiscal impact.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule
    The rules will conform with statutes.

14. Long Range Implications of Implementing the Rule
    The rules will conform with statutes.

15. Compare With Approaches Being Used by Federal Government
    None

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)
    Our surrounding states do not have examining councils under the Board of Nursing

17. Contact Name
    Sharon Henes

18. Contact Phone Number
    (608) 261-2377

This document can be made available in alternate formats to individuals with disabilities upon request.
**ATTACHMENT A**

<table>
<thead>
<tr>
<th>1. Summary of Rule’s Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Summary of the data sources used to measure the Rule’s impact on Small Businesses</td>
</tr>
<tr>
<td>3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?</td>
</tr>
<tr>
<td>☐ Less Stringent Compliance or Reporting Requirements</td>
</tr>
<tr>
<td>☐ Less Stringent Schedules or Deadlines for Compliance or Reporting</td>
</tr>
<tr>
<td>☐ Consolidation or Simplification of Reporting Requirements</td>
</tr>
<tr>
<td>☐ Establishment of performance standards in lieu of Design or Operational Standards</td>
</tr>
<tr>
<td>☐ Exemption of Small Businesses from some or all requirements</td>
</tr>
<tr>
<td>☐ Other, describe:</td>
</tr>
<tr>
<td>4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses</td>
</tr>
<tr>
<td>6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)</td>
</tr>
<tr>
<td>☐ Yes ☐ No</td>
</tr>
</tbody>
</table>
State of Wisconsin  
Department of Safety and Professional Services  

AGENDA REQUEST FORM  

<table>
<thead>
<tr>
<th>Name and Title of Person Submitting the Request:</th>
<th>Date When Request Submitted:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regina Reynolds, Paralegal on behalf of</td>
<td>September 28, 2017</td>
</tr>
<tr>
<td>Attorney Gretchen Mrozinski</td>
<td></td>
</tr>
<tr>
<td>Division of Legal Services and Compliance</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Board, Committee, Council:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Radiography Examining Board</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Board Meeting Date:</th>
<th>Attachments:</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 12, 2017</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>How should the item be titled on the agenda page?</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Board Appearance Request regarding use of SharePoint</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Place item in:</th>
<th>Is an appearance before the Board being scheduled? If yes, by whom?</th>
<th>Name of Case Advisor(s), if required:</th>
</tr>
</thead>
<tbody>
<tr>
<td>✑ Open Session</td>
<td>✑ Yes by Regina Reynolds, Paralegal</td>
<td>n/a</td>
</tr>
<tr>
<td>☐ Closed Session</td>
<td>☐ No</td>
<td></td>
</tr>
<tr>
<td>☐ Both</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Describe the issue and action the Board should address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorney Supervisor Gretchen Mrozinski is requesting approval for investigators and other DLSC staff to utilize SharePoint for providing medical records and other case materials to the case advisor for review.</td>
</tr>
</tbody>
</table>

Authorization:  

[Signature]  

Signature of person making this request  

Date  

Supervisor signature (if required)  

Date  

Executive Director signature (indicates approval to add late items 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 Executive Director.  
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.
BOARD APPEARANCE REQUEST FORM

Board Name: Board of Nursing
Board Meeting Date: October 12, 2017

Person Submitting Agenda Request: Regina Reynolds, Paralegal

Person requesting an appearance: Regina Reynolds, on behalf of Attorney Gretchen Mrozinski

Mailing address: 1400 E. Washington Ave, Madison, WI 53707

Email address: regina.reynolds@wisconsin.gov
Telephone #: 608-261-0113
Reason for Appearance: Verbal approval regarding use of SharePoint to share file materials with the case advisor

Is the person represented by an attorney? If so, who?

Attorney’s mailing address:

Attorney’s e-mail address:
Phone Attorney: