



BOARD OF NURSING

Room 121A, 1400 East Washington Avenue, Madison
Contact: Dan Williams (608) 266-2112
January 11, 2018

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

9:30 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 December 14, 2017 (5-9)

C. 9:30 A.M. Public Hearing on Clearinghouse Rule 17-095 Relating to Schools of Nursing Curriculum and Clinicals (10)

- 1) Review and Respond to Clearinghouse Report and Public Comments

D. 9:30 A.M. Public Hearing on Clearinghouse Rules 17-096 Relating to School Approval (11)

- 1) Review and Respond to Clearinghouse Report and Public Comments

E. Education and Examination Matters - Discussion and Consideration (12)

- 1) UW Oshkosh Request for Extensions – Discussion and Consideration

F. Legislative/Administrative Rule Matters - Discussion and Consideration

- 1) Update on Legislation and Pending or Possible Rulemaking Projects

G. National Council of State Boards of Nursing (NCSBN) Items - Discussion and Consideration (13-20)

- 1) Update as to Nurse Compact (NLC) and Enhanced Nurse Compact (eNLC)
 - a. Final Rules Released by The Interstate Commission of Nurse Licensure Compact Administrators

H. Board of Nursing Liaison Reports - Discussion and Consideration

I. DLSC Annual Report – Discussion and Consideration

J. Speaking Engagement(s), Travel, or Public Relation Request(s)- Discussion and Consideration

1) NCSBN 2018 Mid-Year Meeting – March 5-7, 2018 – Chicago, IL

K. Administrative Matters - Discussion and Consideration (21-28)

- 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
- 3) **Election of Officers**
- 4) **Appointment of Liaisons and Alternates**
- 5) **Delegation of Authorities**

L. Informational Items

M. 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)

N. 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.).

O. Deliberation on Credentialing Matters

P. Deliberation on Division of Legal Services and Compliance (DLSC) Matters

1) Attorney Amanda Florek

a. Administrative Warnings

1. 17 NUR 384 – D.L.A. **(29-30)**

b. Stipulations and Final Decisions and Orders

1. 16 NUR 471 – K.J.F. **(31-37)**

2. 16 NUR 521 – L.M.C. **(38-43)**

3. 17 NUR 008 – T.M.K. **(44-49)**

2) Attorney Kim Kluck

a. Stipulations and Final Decisions and Orders

1. 16 NUR 509 – S.J.K. **(50-56)**

3) Case Closures

4) Monitoring (57-181)

a. Department Monitor Jesse Benisch

1. Katy Hayden, R.N. – Requesting Voluntary Surrender of License **(59-74)**

2. Scott Strube, R.N. – Requesting Reduction in Screens, Termination of Direct Supervision, Termination of Employment Settings, and Termination of Abstaining from Alcohol **(75-104)**

b. Department Monitor Erin Graf

1. Joni Eberhardy, R.N. – Requesting Termination of Treatment, Termination of Direct Supervision, Termination or Decrease of AA/NA Meetings and Reduction in Screens **(105-132)**

2. Kristine Kennedy, R.N. – Requesting Termination of Direct Supervision and a Reduction in Screens **(133-166)**

3. Christine Schultz, R.N. – Review of AODA Assessment **(167-181)**

Q. Deliberation on Proposed Final Decision and Order in the Matter of Disciplinary Proceedings Against Jennifer Civitarese, R.N., Respondent, DHA Case No. SPS-17-0020/DLSC Case No. 16 NUR 265 (182-197)

R. Deliberation Order Fixing Costs in the Matter of Disciplinary Proceedings Against Jessica J. Gollon, R.N., Respondent, DHA Case No. SPS-17-0024/DLSC Case No. 16 NUR 590 (198-210)

S. 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

T. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

W. Board Meeting Process (Time Allocation, Agenda Items) – Discussion and Consideration

- 1) Newsletter Update and Assignment of Topics

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

- 1) 2018 Board Goals

ADJOURNMENT

NEXT MEETING DATE: FEBRUARY 8, 2018

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
December 14, 2017**

PRESENT: Peter Kallio, Sheryl Krause, Lillian Nolan, Luann Skarlupka, Elizabeth Smith-Houskamp, Cheryl Streeter, Pamela White

EXCUSED: Paul Abegglen, Jennifer Eklof

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

CALL TO ORDER

Sheryl Krause, Chair, called the meeting to order at 9:14 a.m. A quorum was confirmed.

ADOPTION OF THE AGENDA

Amendments to the Agenda

- *Under Item M, add 1) Vanessa Carrasco #613298 – Conviction Review, and 2) Taylor Crownover #621719 – Conviction and Discipline Review*
- *Amend Item N.(2)a.2. to read 16 NUR 643 – T.A.M.*

MOTION: Peter Kallio moved, seconded by Cheryl Streeter, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 9 AND NOVEMBER 27, 2017

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to approve the minutes of November 9, 2017 as published. Motion carried unanimously.

MOTION: Luann Skarlupka moved, seconded by Pamela White, to approve the minutes of November 27, 2017 as published. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

Herzing Request for Authorization to Plan

MOTION: Peter Kallio moved, seconded by Elizabeth Smith-Houskamp, to approve the request of Herzing College – Brookfield, Kenosha, and Madison Campuses for authorization to plan Schools of Practical Nursing. The Board acknowledges the presence and presentations of Michelle Metzger, Dr. Deborah Ziebarth, Dr. Pat Edwards, and Dr. Annmarie Lyles. Motion carried unanimously.

UW Oshkosh Request for Extension

MOTION: Luann Skarlupka moved, seconded by Cheryl Streeter, to deny the request of UW Oshkosh School of Nursing for an extension of the Interim Education Administrator position until June 30, 2019, to instead grant an extension through January 11, 2018, and to request an appearance at the January 11, 2018 Board of Nursing meeting before considering a further extension. Motion carried unanimously.

Americare Inquiry as to Authorization to Admit

MOTION: Peter Kallio moved, seconded by Pamela White, to recognize the appearance of Stephanie Balitaan, R.N., on behalf of Americare, and to find that there was misunderstanding regarding Americare's institutional accreditation at the time Americare applied for and was granted authorization to plan a School of Nursing. Since that time, Americare has been unable to provide evidence of the accreditation status of the controlling institution which is located in Wisconsin as required by Wis. Admin. Code §§ N 1.03(1)(a), 1.02(5) and 1.02(5g). Before moving forward in the School of Nursing application process, Americare must demonstrate evidence, satisfactory to the Board, of compliance with the institutional accreditation requirement. Motion carried unanimously.

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS

Scope for Rulemaking Pursuant to Enhanced Nurse Compact (eNLC)

MOTION: Luann Skarlupka moved, seconded by Cheryl Streeter, to approve the Scope Statement on rulemaking pursuant to the Enhanced Nurse Licensure Compact (eNLC) for submission to the Department of Administration, Governor's Office and publication, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

DLSC ANNUAL REPORT

MOTION: Peter Kallio moved, seconded by Pamela White, to request DSPS staff present an annual 2017 Division of Legal Services and Compliance (DLSC) Statistics Report, including yearly trend specific data referencing PAP and discipline related to controlled substances, by April 1, 2018. Motion carried unanimously.

CLOSED SESSION

MOTION: Pamela White moved, seconded by Peter Kallio, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). Sheryl Krause, Chair, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Peter Kallio-yes, Sheryl Krause-yes, Lillian Nolan-yes, Luann Skarlupka-yes, Elizabeth Smith-Houskamp-yes, Cheryl Streeter-yes, Pamela White-yes. Motion carried unanimously.

At this time, all external communication contacts will be terminated for purposes of going into Closed Session.

The Board convened into Closed Session at 11:04 a.m.

RECONVENE TO OPEN SESSION

MOTION: Peter Kallio moved, seconded by Cheryl Streeter, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 2:49 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Peter Kallio moved, seconded by Lillian Nolan, 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.)

DELIBERATION ON CREDENTIALING MATTERS

Vanessa Carrasco #613298 – Conviction Review

MOTION: Peter Kallio moved, seconded by Cheryl Streeter, to table the decision on the Registered Nurse application of Vanessa Carrasco pending receipt of a Fitness to Practice and an AODA assessment, and to authorize Pamela White to work with the Department as needed. Motion carried unanimously.

Taylor Crownover #621719 – Conviction and Discipline Review

MOTION: Peter Kallio moved, seconded by Lillian Nolan, to offer a limited license to Registered Nurse applicant, Taylor Crownover. **Reason for Denial of Full License:** Denial of full licensure per Wis. Stat. §§ 441.07(1g)(b) and (d) and Wis. Admin. Code § 7.03(1)(b). Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

DLSC Attorney Amanda Florek

Proposed Stipulations, Final Decisions and Orders

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

1. 16 NUR 521 – M.A.V.
2. 17 NUR 020 – S.J.N.

Motion carried unanimously.

Attorney Kim Kluck

(Sheryl Krause left the room at 1:48 p.m. and returned at 2:05 p.m.; Peter Kallio acted as Chair in her absence.)

Proposed Stipulations, Final Decisions and Orders

MOTION: Elizabeth Smith-Houskamp moved, seconded by Pamela White, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 16 NUR 517 – S.D.E.
2. 17 NUR 033 – G.E.C.
3. 17 NUR 105 – T.J.K.
4. 17 NUR 130 – M.D.H.
5. 17 NUR 144 – D.K.W.
6. 17 NUR 354 – S.S.G.S.

Motion carried unanimously.

16 NUR 643 – T.A.M.

MOTION: Lillian Nolan moved, seconded by Pamela White, to table discussion in the matter of disciplinary proceedings against T.A.M., DLSC Case No. 16 NUR 643. Motion carried unanimously.

DLSC Attorney Yolanda McGowan

Proposed Stipulations, Final Decisions and Orders

15 NUR 019 – D.L.F.

MOTION: Luann Skar lupka moved, seconded by Peter Kallio, to table discussion in the matter of disciplinary proceedings against D.L.F., DLSC Case No. 15 NUR 019. Motion carried. Lillian Nolan opposed.

Case Closures

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

1. 17 NUR 405 – P2 (Prosecutorial Discretion)
2. 16 NUR 290 (T.L.O.) – Insufficient Evidence
3. 16 NUR 242 – P7 (Prosecutorial Discretion)
4. 16 NUR 220 – P7 (Prosecutorial Discretion)
5. 17 NUR 323 – P2 (Prosecutorial Discretion)
6. 17 NUR 324 – P2 Prosecutorial Discretion)
7. 17 NUR 150 – Insufficient Evidence
8. 17 NUR 364 – P5 (Prosecutorial Discretion with a Flag)
9. 16 NUR 597 – Insufficient Evidence
10. 17 NUR 538 – P7 (Prosecutorial Discretion)
11. 16 NUR 671 – P2 (Prosecutorial Discretion)

Motion carried unanimously.

Monitoring – Zoua Cha

Jill A. Ibarra, R.N. – Requesting Full Licensure

MOTION: Cheryl Streeter moved, seconded by Pamela White, to grant the request of Jill A. Ibarra for full licensure. Motion carried unanimously.

Monitoring – Erin Graf

Christine Bohl, R.N. – Requesting Termination of Direct Supervision, Reduction in AA/NA Meetings, and Termination of Job Pre-Approval

MOTION: Cheryl Streeter moved, seconded by Peter Kallio, to grant the request of Christine Bohl for termination of direct supervision, but to deny reduction in AA/NA meetings and termination of job pre-approval. **Reason for Denial:** Respondent needs to practice nursing under the conditions of the modified Board Order (6/9/2016) before the Board will consider amending other requirements. Motion carried unanimously.

Kelly Hagman, R.N. – Requesting Termination of Direct Supervision, Reduction in Screens, and Reduction in AA/NA to One Meeting Bi Weekly

MOTION Peter Kallio moved, seconded by Lillian Nolan, to deny the request of Kelly Hagman for termination of direct supervision, reduction in screens, and reduction in AA/NA to one meeting bi- weekly. **Reason for Denial:** Failure to demonstrate continuous and successful compliance (i.e. increasing missed check ins, especially on weekends). Respondent needs to fully comply with the complete terms and conditions of the original Board Order (9/13/2012). Motion carried unanimously.

DELIBERATION ON PROPOSED FINAL DECISION AND ORDER IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST CAITLIN M. BEHNKE, R.N., RESPONDENT, DHA CASE NO. SPS-17-0022, DLSC CASE NO. 16 NUR 212

(Peter Kallio recused himself from deliberation and voting in the matter of disciplinary proceedings against Caitlin M. Behnke.)

MOTION: Luann Skarlupka moved, seconded by Elizabeth Smith-Houskamp, to adopt the Findings of Fact, and Conclusion of Law and to vary the Proposed Decision and Order to clarify that practice is limited under the eNLC as well, in the matter of disciplinary proceedings against Caitlin M. Behnke, R.N., Respondent, DHA Case No. SPS-17-0022, DLSC Case No. 16 NUR 212. Motion carried unanimously.

DELIBERATION ON ORDERS FIXING COSTS

Yvette Harris, R.N.

MOTION: Luann Skarlupka moved, seconded by Pamela White, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Yvette Harris, DHA Case No. SPS-14-0049/DLSC Case No. 13 NUR 133. Motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 2:56 p.m.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Sharon Henes Administrative Rules Coordinator		2) Date When Request Submitted: 20 December 2017 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: 11 January 2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Public Hearing on Clearinghouse Rule 17-095 relating to schools of nursing curriculum and clinicals Review and respond to Clearinghouse Report and Public Hearing comments	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Hold Public Hearing at 9:30 a.m. Discuss any public hearing comments. Review, discuss and respond to any Clearinghouse comments.			
11) Authorization <div style="text-align: center; margin-top: 20px;">  </div> <hr/> <div style="display: flex; justify-content: space-between;"> Signature of person making this request Date </div> <hr/> <div style="display: flex; justify-content: space-between;"> Supervisor (if required) Date </div> <hr/> <div style="display: flex; justify-content: space-between;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date </div>			
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**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Sharon Henes Administrative Rules Coordinator		2) Date When Request Submitted: 20 December 2017 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: 11 January 2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Public Hearing on Clearinghouse Rule 17-096 relating to school approval Review and respond to Clearinghouse Report and Public Hearing comments	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Hold Public Hearing at 9:30 a.m. Discuss any public hearing comments. Review, discuss and respond to any Clearinghouse comments.			
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**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Dan Williams		2) Date When Request Submitted: Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 	
3) Name of Board, Committee, Council, Sections: Wisconsin Board of Nursing			
4) Meeting Date: January 11, 2018	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? UW Oshkosh request for extension_Discussion and Consideration	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing? <input type="checkbox"/> Yes by <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: Motion from 12/14/2017 Board meeting: UW Oshkosh Request for Extension MOTION: Luann Skarlupka moved, seconded by Cheryl Streeter, to deny the request of UW Oshkosh School of Nursing for an extension of the Interim Education Administrator position until June 30, 2019, to instead grant an extension through January 11, 2018, and to request an appearance at the January 11, 2018 Board of Nursing meeting before considering a further extension. Motion carried unanimously.			



The Interstate Commission of Nurse Licensure Compact Administrators

Final Rules

Adopted Dec 12, 2017

Effective Jan 19, 2018

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SECTION 100. DEFINITIONS

- (1) "Commission" means the Interstate Commission of Nurse Licensure Compact Administrators.
- (2) "Compact" means the Nurse Licensure Compact that became effective on July 20, 2017 and implemented on January 19, 2018.
- (3) "Convert" means to change a multistate license to a single-state license if a nurse changes primary state of residence by moving from a party state to a non-party state; or to change a single-state license to a multistate license once any disqualifying events are eliminated.
- (4) "Deactivate" means to change the status of a multistate license or privilege to practice.
- (5) "Director" means the individual referred to in Article IV of the Interstate Commission of Nurse Licensure Compact Administrators Bylaws.
- (6) "Disqualifying Event" means an incident, which results in a person becoming disqualified or ineligible to retain or renew a multistate license. These include but are not limited to the following: any adverse action resulting in an encumbrance, current participation in an alternative program, a misdemeanor offense related to the practice of nursing (which includes, but is not limited to, an agreed disposition), or a felony offense (which includes, but is not limited to, an agreed disposition).
- (7) "Independent credentials review agency" means a non-governmental evaluation agency that verifies and certifies that foreign nurse graduates have graduated from nursing programs that are academically equivalent to nursing programs in the United States.
- (8) "Licensure" includes the authority to practice nursing granted through the process of examination, endorsement, renewal, reinstatement and/or reactivation.
- (9) "Prior Compact" means the Nurse Licensure Compact that was in effect until January 19, 2018.
- (10) "Unencumbered license" means a license that authorizes a nurse to engage in the full and unrestricted practice of nursing.

SECTION 200. COORDINATED LICENSURE INFORMATION SYSTEM

201. UNIFORM DATA SET AND LEVELS OF ACCESS

- (1) The Compact Administrator of each party state shall furnish uniform data to the Coordinated Licensure Information System, which shall consist of the following:

- (a) the nurse's name;
- (b) jurisdiction of licensure;
- (c) license expiration date;
- (d) licensure classification, license number and status;
- (e) public emergency and final disciplinary actions, as defined by the contributing state authority;
- (f) a change in the status of a disciplinary action or licensure encumbrance;
- (g) status of multistate licensure privileges;
- (h) current participation by the nurse in an alternative program;
- (i) information that is required to be expunged by the laws of a party state;
- (j) the applicant or nurse's United States social security number;
- (k) current significant investigative information; and
- (l) a correction to a licensee's data.

(2) The public shall have access to items (1)(a) through (g) and information about a licensee's participation in an alternative program to the extent allowed by state law.

(3) In the event a nurse asserts that any Coordinated Licensure Information System data is inaccurate, the burden of proof shall be upon the nurse to provide evidence in a manner determined by the party state that substantiates such claim.

(4) A party state shall report the items in the uniform data set to the Coordinated Licensure Information System within fifteen (15) calendar days of the date on which the action is taken.

202. QUERYING THE COORDINATED LICENSURE INFORMATION SYSTEM

- (1) Upon application for multistate licensure, with the exception of renewal by a nurse, a party state shall query the Coordinated Licensure Information System to determine the applicant's current licensure status, previous disciplinary action(s), current participation in an alternative program, and any current significant investigative information.

(2) Upon discovery that an applicant is under investigation in another party state, the party state in receipt of the nurse licensure application shall contact the investigating party state and may request investigative documents and information.

SECTION 300. IMPLEMENTATION

301. IMPLEMENTATION DATE

The Compact shall be implemented on January 19, 2018.

302. TRANSITION

(1) (a) A nurse who holds a multistate license on the Compact effective date of July 20, 2017, and whose multistate license remains unencumbered on the January 19, 2018 implementation date and who maintains and renews a multistate license is not required to meet the new requirements for a multistate license under the Compact.

(b) A nurse who retained a multistate license pursuant to subsection (a) of this section and subsequently incurs a disqualifying event shall have the multistate license revoked or deactivated pursuant to the laws of the home state.

(c) A nurse whose multistate license is revoked or deactivated may be eligible for a single state license in accordance with the laws of the party state.

(2) A nurse who applies for a multistate license after July 20, 2017, shall be required to meet the requirements of Article III (c) of the Compact.

(3) During the transition period, a licensee who holds a single state license in a Compact state that was not a member of the prior Compact and who also holds a multistate license in a party state, may retain the single state license until it lapses, expires or becomes inactive.”

(4) After the implementation date, party states shall not renew or reinstate a single state license if the nurse has a multistate license in another party state.

303. RECOGNITION OF NEW PARTY STATES AFTER JANUARY 19, 2018

(1) All party states shall be notified by the Commission within fifteen (15) calendar days when a new party state enacts the Compact.

(2) The new party state shall establish an implementation date six (6) months from enactment or as specified in the enabling language and shall notify the Director of the date.

(3) Upon implementation, a new state licensee who holds a single state license in a Compact state that was not a member of the prior Compact and holds a multistate license in a party state, may retain the single state license until it lapses, expires or becomes inactive.

(4) At least ninety (90) calendar days prior to the implementation date, all other party states shall notify any active single state licensee with an address in the new party state that the licensee may only hold one multistate license in the primary state of residence. The licensee shall be advised to obtain or maintain a multistate license only from the primary state of residence.

(5) Each party state shall deactivate a multistate license when a new home state issues a multistate license.

SECTION 400. LICENSURE

401. PARTY STATE RESPONSIBILITIES

(1) On all application forms for multistate licensure, a party state shall require, at a minimum:

(a) A declaration of a primary state of residence and

(b) Whether the applicant is a current participant in an alternative program.

(2) (a) An applicant for licensure who is determined to be ineligible for a multistate license shall be notified by the home state of the qualifications not met.

(b) The home state may issue a single state license pursuant to its laws.

(3) A party state shall not issue a single state license to a nurse who holds a multistate license in another party state.

402. APPLICANT RESPONSIBILITIES

(1) On all application forms for multistate licensure in a party state, an applicant shall declare a primary state of residence.

(2) A nurse who changes primary state of residence to another party state shall apply for a license in the new party state when the nurse declares to be a resident of the state and obtains privileges not ordinarily extended to nonresidents of the state, including but not limited to, those listed in 402 (4) (a) – (e).

(3) A nurse shall not apply for a single state license in a party state while the nurse holds a multistate license in another party state.

(4) A party state may require an applicant to provide evidence of residence in the declared primary state of residence. This evidence may include, but is not limited to, a current:

- (a) driver's license with a home address;
- (b) voter registration card with a home address;
- (c) federal income tax return with a primary state of residence declaration;
- (d) military form no. 2058 (state of legal residence certificate); or
- (e) W2 form from the United States government or any bureau, division, or agency thereof, indicating residence.

(5) An applicant who is a citizen of a foreign country, and who is lawfully present in the United States and is applying for multistate licensure in a party state may declare either the applicant's country of origin or the party state where they are living as the primary state of residence. If the applicant declares the foreign country as the primary state of residence, the party state shall not issue a multistate license, but may issue a single state license if the applicant meets the party state's licensure requirements.

(6) An applicant shall disclose current participation in an alternative program to any party state, whether upon initial application or within ten (10) calendar days of enrollment in the program.

403. CHANGE IN PRIMARY STATE OF RESIDENCE

(1) A nurse who changes his or her primary state of residence from one party state to another party state may continue to practice under the existing multistate license while the nurse's application is processed and a multistate license is issued in the new primary state of residence.

(2) Upon issuance of a new multistate license, the former primary state of residence shall deactivate its multistate license held by the nurse and provide notice to the nurse.

(3) If a party state verifies that a licensee who holds a multistate license changes primary state of residence to a non-party state, the party state shall convert the multistate license to a single state license within fifteen (15) calendar days, and report this conversion to the Coordinated Licensure Information System.

404. TEMPORARY PERMITS AND LICENSES

A temporary permit, license, or similar temporary authorization to practice issued by a party state to an applicant for licensure shall not grant multistate licensure privileges.

405. IDENTIFICATION OF LICENSES

A license issued by a party state shall be clearly identified as either a single state license or a multistate license.

406. CREDENTIALING AND ENGLISH PROFICIENCY FOR FOREIGN NURSE GRADUATES

(1) A party state shall verify that an independent credentials review agency evaluated the credentials of graduates as set forth in Article III (c)(2)ii.

(2) The party state shall verify successful completion of an English proficiency examination for graduates as set forth in Article III (c)(3).

407. DEACTIVATION, DISCIPLINE AND REVOCATION

A party state shall determine whether a disqualifying event will result in adverse action or deactivation of a multistate license or privilege. Upon deactivation due to a disqualifying event, the home state may issue a single state license.

SECTION 500. ADMINISTRATION

501. DUES ASSESSMENT

(1) The Commission shall determine the annual assessment to be paid by party states. The assessment formula is a flat fee per party state. The Commission shall provide public notice of any proposed revision to the annual assessment fee at least ninety (90) calendar days prior to the Commission meeting to consider the proposed revision.

(2) The annual assessment shall be due within the Commission's first fiscal year after the implementation date and annually thereafter.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Laura Smith, Bureau Assistant, on behalf of Dan Williams, Executive Director		2) Date When Request Submitted: 11/22/17 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date:	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters/Updates 1) Election of Officers 2) Appointment of Liaisons and Alternates 3) Delegation of Authorities	
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 required: N/A	
10) Describe the issue and action that should be addressed: 1) The Board should conduct Election of its Officers for 2018 2) The new Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate 3) The Board should review and then consider continuation or modification of previously delegated authorities			
11) Authorization			
<i>Laura Smith</i>		11/22/2017	
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.			

Board of Nursing

2017 ELECTION RESULTS	
Board Chair	Sheryl Krause
Vice Chair	Peter Kallio
Secretary	Lillian Nolan
2017 LIAISON APPOINTMENTS	
Credentialing	Paul Abegglen, <i>Alternate: Peter Kallio</i>
Professional Assistance Procedure (PAP)	Cheryl Streeter <i>Alternate: Paul Abegglen</i>
Monitoring	Jodi Johnson <i>Alternate: Paul Abegglen</i>
Newsletter	Lillian Nolan
Board Practice	Paul Abegglen <i>Alternate: Sheryl Krause</i>
Board Education	Sheryl Krause <i>Alternate: Peter Kallio</i>
Legislative Liaison	Sheryl Krause
2017 APPOINTMENTS	
Controlled Substances Board as per Wis. Stats. §15.405(5g)	Peter Kallio
Wisconsin Coalition for Prescription Drug Abuse Reduction	Peter Kallio
2017 SCREENING PANEL APPOINTMENTS	
February 2017 – June 2017	Cheryl Streeter, Paul Abegglen, Luann Skarlupka
July 2017 – January 2018	Lillian Nolan, Elizabeth Smith- Houskamp, Peter Kallio
2017 COMMITTEE MEMBER APPOINTMENTS	
Rules and Legislation Committee	Peter Kallio Sheryl Krause Luann Skarlupka

DEPARTMENT APPOINTMENT AS PER WIS. STATS.	
§441.50(8)(a)	
Administrator of the Nurse Licensure Compact	Dan Williams

MOTION: Paul Abegglen moved, seconded by Maria Joseph, to affirm the Chair’s appointment of liaisons for 2017. Motion carried unanimously.

DELEGATION MOTIONS

Delegated Authority for Urgent Matters

MOTION: Peter Kallio moved, seconded by Paul Abegglen, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority to the Chair to appoint liaisons to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Peter Kallio moved, seconded by Paul Abegglen, that the Board counsel or another department attorney is formally authorized to serve as the Board’s designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

Document Signature Delegation

MOTION: Peter Kallio moved, seconded by Paul Abegglen, the Board delegates authority to the Chair to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair has the ability to delegate this signature authority to the Board’s Executive Director for purposes of facilitating the completion of assignments during or between meetings. Motion carried unanimously.

Screening Panel

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to delegate to the attorney assigned to each screening panel the discretion to close cases that clearly do not allege a provable violation of law and therefore do not merit review by the full screening panel. Motion carried unanimously.

Credentialing Authority Delegations

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to delegate authority to the Credentialing Liaisons to address all issues related to credentialing matters. Motion carried unanimously.

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to delegate authority to the Credentialing Liaisons to address all issues related to credentialing

matters except potential denial decisions should be referred to the full Board for final determination. Motion carried unanimously.

MOTION: Kallio moved, seconded by Paul Abegglen, to delegate credentialing authority to DSPTS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Board or Board liaison review. Motion carried unanimously.

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to delegate credentialing decisions to DSPTS Staff involving an applicant who was granted an unrestricted nursing license by the Wisconsin Board of Nursing, is seeking a new credential, and has had no new issues since the previous license was granted. Motion carried unanimously.

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to delegate decision making authority to DSPTS staff for licensure purposes relating to:

- 1) Up to two (2) OWIs prior to entering into Nursing School
- 2) A Single (1) OWI conviction during or after Nursing School
- 3) Under Age Drinking
- 4) Ordinance or municipal violations prior to entering Nursing School
- 5) Retail theft prior to entering Nursing School
- 6) The granting of a limited license for a Nurse Refresher Course (as long as all other requirements are met) unless there are convictions, prior Board discipline, or impairment issues. Staff can then move forward with the granting of full licensure after verification of successful completion has been received

Motion carried unanimously.

Monitoring Delegations

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to adopt the 'Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor; document as presented. Motion carried unanimously.

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to delegate to the Monitoring Liaison the authority to provide written authorization pursuant to Wis. Admin. Code § N 9.03(1). Motion carried unanimously.

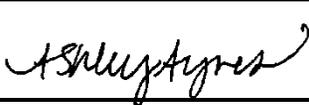
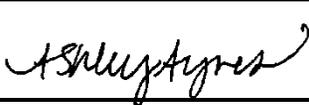
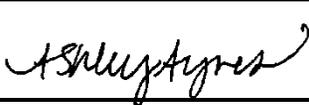
Education Delegations

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to delegate authority to the Board Education Liaison(s) to address all issues related to education and examinations. Motion carried unanimously.

Rules Committee

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to grant the Nursing Legislation and Rules Committee the ability to discuss legislative matters and to review and propose rule making language to the full Board. Motion carried unanimously.

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Ashley Ayres Monitoring and Intake Supervisor Division of Legal Services and Compliance		2) Date When Request Submitted: December 18, 2017									
		Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 									
3) Name of Board, Committee, Council, Sections: Board of Nursing											
4) Meeting Date: January 11, 2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Appointment of Monitoring Liaison and Delegated Authority Motion									
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:									
10) Describe the issue and action that should be addressed: Adopt or reject the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today's agenda packet.											
11) <table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;"> <div style="text-align: center;">  </div> </td> <td style="width: 40%; border: none; text-align: center;"> Authorization December 18, 2017 </td> </tr> <tr> <td style="border: none;"> <hr/> Signature of person making this request </td> <td style="border: none; text-align: center;"> <hr/> Date </td> </tr> <tr> <td style="border: none;"> <hr/> Supervisor (if required) </td> <td style="border: none; text-align: center;"> <hr/> Date </td> </tr> <tr> <td style="border: none;"> <hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </td> <td style="border: none; text-align: center;"> <hr/> Date </td> </tr> </table>				<div style="text-align: center;">  </div>	Authorization December 18, 2017	<hr/> Signature of person making this request	<hr/> Date	<hr/> Supervisor (if required)	<hr/> Date	<hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda)	<hr/> Date
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Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors to enforce Board/Section orders as explained below.

Current Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.
8. Grant or deny a request to appear before the Board/Section in closed session.
9. (*Except Pharmacy*) Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.
10. (*Except Pharmacy*) Grant Respondent’s petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison.
 - a. Year 1: 49 screens (including 1 hair test, if required by original order)
 - b. Year 2: 36 screens (plus 1 hair test, if required by original order)
 - c. Year 3: 28 screens plus 1 hair test
 - d. Year 4: 28 screens plus 1 hair test
 - e. Year 5: 14 screens plus 1 hair test
11. (*Dentistry only*) – Ability to approve or deny all requests from a respondent.

Current Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
 2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.
 3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
-

Proposed (New) Delegations to the Monitoring Liaison

The Monitoring Unit is proposing the following additions to the Monitoring Liaison's authority:

1. Board Monitoring Liaison may determine whether Respondent's petition is eligible for consideration by the full Board/Section.
2. Board Monitoring Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.