



BOARD OF NURSING
Room N208, 4822 Madison Yards Way, 2nd Floor, Madison
Contact: Debra Sybell (608) 266-2112
October 10, 2019

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
LEGISLATION AND RULES COMMITTEE MEETING**

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-4)

B. Approval of Minutes of September 17, 2019 (5-13)

C. Administrative Matters

- 1) Department, Staff and Board Updates
- 2) Board Members – Term Expiration Dates

D. Education and Examination Matters – Discussion and Consideration

E. Division of Legal Services and Compliance (DLSC) Matters – Discussion and Consideration

- 1) **APPEARANCE: Gretchen Mrozinski, Attorney Supervisor: Request for Guidance on Case Resolution Involving Addiction Issues, Impairment, and Diversion (14)**

F. Administrative Rule Matters – Discussion and Consideration (15)

- 1) Adoption Order: CR 18-050, Relating to Advanced Practice Nurse Prescribers' Collaboration with Dentists **(16-26)**
- 2) Preliminary Draft Rules: N 2, Relating to Licensure
- 3) 2017 Wisconsin Act 262 Report **(27-28)**
- 4) Update from the Legislation and Rules Committee
- 5) Pending or Possible Rulemaking Projects

G. Nursing Forward Newsletter – Review for Distribution – Discussion and Consideration (29-32)

H. Legislative and Policy Matters – Discussion and Consideration

- I. Nurse Licensure Compact Update – Discussion and Consideration
- J. Board of Nursing Liaison Reports – Discussion and Consideration
- K. 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) Administrative Rule Matters
 - 10) Legislative and Policy Matters
 - 11) Liaison Reports
 - 12) Board Liaison Training and Appointment of Mentors
 - 13) Informational Items
 - 14) Division of Legal Services and Compliance (DLSC) Matters
 - 15) Presentations of Petitions for Summary Suspension
 - 16) Petitions for Designation of Hearing Examiner
 - 17) Presentation of Stipulations, Final Decisions and Orders
 - 18) Presentation of Proposed Final Decisions and Orders
 - 19) Presentation of Interim Orders
 - 20) Petitions for Re-Hearing
 - 21) Petitions for Assessments
 - 22) Petitions to Vacate Orders
 - 23) Requests for Disciplinary Proceeding Presentations
 - 24) Motions
 - 25) Petitions
 - 26) Appearances from Requests Received or Renewed
 - 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

L. 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.).

M. Deliberation on Credentialing Matters

- 1) **Application Reviews**
 - a. Ladyliza Cruz – RN Applicant: Refresher Course Approval **(33-34)**
 - b. Tyler Eichman – RN Predetermination Applicant **(35-69)**
 - c. Angela Lutes – RN Applicant: Refresher Course Approval **(70-76)**
 - d. Launita Mackey Tucker – LPN Applicant **(77-98)**
 - e. Todd Mehrhoff – RN and APNP Renewal Applicant **(99-111)**
 - f. Tammy Nelson – RN Renewal Applicant **(112-149)**
 - g. Lucas Pelka – RN Applicant **(150-196)**
 - h. Tina Rios – LPN Renewal Applicant **(197-225)**

- i. Paul Ryan – RN Applicant **(226-273)**

N. Deliberation on Division of Legal Services and Compliance Matters

- 1) **Administrative Warnings**
 - a. 17 NUR 789 – S.L.T. **(273-274)**
 - b. 18 NUR 314 – B.L.B. **(275-276)**
- 2) **Case Closings**
 - a. 17 NUR 619 – J.K., M.S., M.B., J.T. **(277-282)**
 - b. 17 NUR 812 – T.A.K. **(283-285)**
 - c. 18 NUR 159 – E.L.K. **(286-289)**
 - d. 18 NUR 173 – T.J.R. **(290-295)**
 - e. 18 NUR 340 – J.L.C. **(296-299)**
 - f. 18 NUR 365 – H.M.H. **(300-304)**
 - g. 18 NUR 378 – S.K.S. **(305-307)**
 - h. 18 NUR 584 – T.C.D. **(308-310)**
 - i. 18 NUR 594 – M.L.D. **(311-317)**
 - j. 18 NUR 597 – C.A.S. **(318-324)**
 - k. 18 NUR 598 – J.K. **(325-327)**
 - l. 18 NUR 689 & 18 NUR 787 – J.D.P. & D.S.H. **(328-333)**
 - m. 18 NUR 765 – D.B. **(334-338)**
- 3) **Proposed Stipulations, Final Decisions, and Orders**
 - a. 16 NUR 348 – Valerie R. Haertl, LPN **(339-344)**
 - b. 17 NUR 618 – Jolene A. St. Marie, RN **(345-350)**
 - c. 17 NUR 759 & 18 NUR 239 – Kendrick J. Eggers, RN **(351-363)**
 - d. 18 NUR 036 – Ashley A. Voigt, RN **(364-369)**
 - e. 18 NUR 478 – Amanda R. Froelich, RN **(370-376)**
- 4) **Monitoring Matters (377-378)**
 - a. **Monitor Benisch**
 - 1. Rachel Cass, RN – Compliance Review **(379-417)**
 - 2. Regina Young, RN – Requesting a Reduction in Screens and Access to Controlled Substances **(418-452)**
 - b. **Monitor Cha**
 - 1. Kimberly Sherfinski, RN – Requesting a Reduction in Screens and AA/NA Meetings **(453-483)**

O. Deliberation on Proposed Final Decisions and Orders

- 1) Makesha M. Thomas, RN, Respondent (DHA Case Number SPS-18-0041/DLSC Case Number 17 NUR 223) **(484-494)**
 - a. Review of NCLEX Score **(495)**

P. 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

Q. 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

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

ADJOURNMENT

NEXT MEETING: NOVEMBER 14, 2019

 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 4822 Madison Yards Way, 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 17, 2019**

PRESENT: Rosemary Dolatowski, Jennifer Eklof (*excused at 10:45 a.m./ returned at 12:19 p.m.*), Peter Kallio, Lisa Pisney, Luann Skarlupka, Pamela White

EXCUSED: Elizabeth Smith Houskamp, Emily Zentz

STAFF: Debra Sybell, Executive Director; Jameson Whitney, Legal Counsel; Sharon Henes, Administrative Rules Coordinator; Kimberly Wood, Program Assistant Supervisor-Adv.; and other DSPS Staff

CALL TO ORDER

Peter Kallio, Chairperson, called the meeting to order at 8:04 a.m. A quorum of six (6) members was confirmed.

ADOPTION OF THE AGENDA

Amendments to the Agenda

- Open Session: **REMOVE** item “F. APPEARANCE – Gretchen Mrozinski, Attorney Supervisor: Division of Legal Services and Compliance (DLSC) Matters – Discussion and Consideration; 1) Request for Guidance on Case Resolution Involving Addiction Issues, Impairment, and Diversion”

MOTION: Pamela White moved, seconded by Jennifer Eklof, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 11, 2019

MOTION: Luann Skarlupka moved, seconded by Rosemary Dolatowski, to approve the Minutes of July 11, 2019 as published. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

Appearance: Nigel Longworth, Chief Operating Officer: Herzing University

MOTION: Rosemary Dolatowski moved, seconded by Jennifer Eklof, to acknowledge and thank Mr. Nigel Longworth and Dr. Tricia Wagner, DNP, GNP-BC, of Herzing University for their appearance before the Board. Motion carried unanimously.

MOTION: Pamela White moved, seconded by Lisa Pisney, to acknowledge the withdrawal of the application of Herzing University-Menomonee Falls for authorization to plan a school of nursing. Motion carried unanimously.

Chippewa Valley Technical College – Request for Authorization to Admit

MOTION: Lisa Pisney moved, seconded by Rosemary Dolatowski, to acknowledge and thank Amy Olson, M.S.N., R.N., of Chippewa Valley Technical College for her appearance before the Board. Motion carried unanimously.

MOTION: Pamela White moved, seconded by Jennifer Eklof, to approve the request of Chippewa Valley Technical College to admit students. Motion carried unanimously.

APPEARANCE: GINA BRYAN, WISCONSIN ADVANCED PRACTICE REGISTERED NURSE COALITION – APRN MODERNIZATION ACT

MOTION: Luann Skarlupka moved, seconded by Lisa Pisney, to acknowledge and thank Gina Bryan, Wisconsin Advanced Practice Registered Nurse Coalition, for her appearance before the Board. Motion carried unanimously.

CLOSED SESSION

MOTION: Pamela White moved, seconded by Luann Skarlupka, 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.). Peter Kallio, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Rosemary Dolatowski-yes; Jennifer Eklof-yes; Peter Kallio-yes; Lisa Pisney-yes; Luann Skarlupka-yes; and Pamela White-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:27 a.m.

CREDENTIALING MATTERS

Application Reviews

Timothy Dietzen – Licensed Practical Nurse Renewal Applicant

MOTION: Jennifer Eklof moved, seconded by Rosemary Dolatowski, to deny the Licensed Practical Nurse renewal application of Timothy Dietzen. Reason for Denial: Criminal convictions (verdicts of guilty entered 8/14/2019, Outagamie County Circuit Court) substantially related to the practice of nursing, pursuant to Wis. Stat. § 441.07(1g)(d) and N 7.03(2), Wis. Admin. Code. Motion carried unanimously.

Joni Freeman – Registered Nurse Applicant

MOTION: Pamela White moved, seconded by Jennifer Eklof, to approve the Registered Nurse application of Joni Freeman, once all requirements are met. Motion carried unanimously.

Kathryn Techmeier – Registered Nurse Applicant

MOTION: Rosemary Dolatowski moved, seconded by Pamela White, to deny the Registered Nurse application of Kathryn Techmeier, to offer a Limited License subject to a standard 5-year impairment order and to authorize the Credentialing Liaison and Board Counsel to offer a Limited License. Reason for Denial: 4th offense OWI, substantially related to the practice of nursing, pursuant to Wis. Stat. § 441.07(1g)(d) and (c), and N 7.03(2) and (6)(f), Wis. Admin. Code. Motion carried unanimously.

(Jennifer Eklof was excused at 10:45 a.m.)

DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

Administrative Warnings

MOTION: Pamela White moved, seconded by Lisa Pisney, to issue an Administrative Warning in the matter of the following cases:

1. 18 NUR 085 – E.J.J.
2. 18 NUR 093 – M.E.K.
3. 18 NUR 258 – K.W.L.
4. 18 NUR 306 – J.L.K.
5. 18 NUR 549 – E.U.A.
6. 18 NUR 690 – M.J.T.

Motion carried unanimously.

Case Closings

MOTION: Pamela White moved, seconded by Luann Skarlupka, to close the following DLSC Cases for the reasons outlined below:

1. 17 NUR 424 – P.K. – Prosecutorial Discretion (P5)
2. 17 NUR 529 – F.B. – Insufficient Evidence (IE)
3. 17 NUR 570 – M.K.J.P. and C.B. – Insufficient Evidence (IE), S.B. – No Violation (NV)
4. 17 NUR 601 – N.L.B. – No Violation (NV)
5. 17 NUR 621 – C.J.F. – Prosecutorial Discretion (P7)
6. 17 NUR 627 – S.N.A. – Insufficient Evidence (IE)
7. 17 NUR 795 – E.V.R. – Insufficient Evidence (IE)
8. 17 NUR 801 – T.C. – Insufficient Evidence (IE)
9. 17 NUR 814 – J.A.M. – No Violation (NV)
10. 18 NUR 018 – Unknown – No Violation (NV)
11. 18 NUR 028 – D.M.H. - Prosecutorial Discretion (P5)
12. 18 NUR 051 – C.L.G. – No Violation (NV)

13. 18 NUR 057 – L.A.C.H. – No Violation (NV)
 14. 18 NUR 070 – M.T. – Prosecutorial Discretion (P3)
 15. 18 NUR 083 - L.B.W. – Insufficient Evidence (IE)
 16. 18 NUR 100 – K.A.D. – Prosecutorial Discretion (P5)
 17. 18 NUR 140 – L.R.M. – Prosecutorial Discretion (P7)
 18. 18 NUR 141 – E.L.O. – Prosecutorial Discretion (P5)
 19. 18 NUR 147 – L.A. – Insufficient Evidence (IE)
 20. 18 NUR 156 – J.S. – Insufficient Evidence (IE)
 21. 18 NUR 157 – R.A.A. – No Violation (NV)
 22. 18 NUR 193 – V.C.S. – No Violation (NV)
 23. 18 NUR 199 – K.L.K. – Insufficient Evidence (IE)
 24. 18 NUR 207 – E.L.V. – Prosecutorial Discretion (P7)
 25. 18 NUR 214 – S.E.E. – Insufficient Evidence (IE)
 26. 18 NUR 246 – E.M. – Insufficient Evidence (IE)
 27. 18 NUR 280 – K.M.G. – Lack of Jurisdiction (L2)
 28. 18 NUR 311 – J.M.A. – Prosecutorial Discretion (P2)
 29. 18 NUR 327 – E.R.F. – No Violation (NV)
 30. 18 NUR 338 – L.S.A. – Prosecutorial Discretion (P5)
 31. 18 NUR 375 – L.M.M. – Prosecutorial Discretion (P5)
 32. 18 NUR 376 – K.K.N. – Prosecutorial Discretion (P5)
 33. 18 NUR 404 – K.J.D. – Prosecutorial Discretion (P7)
 34. 18 NUR 497 – S.P. – Insufficient Evidence (IE)
 35. 18 NUR 578 – M.A.C. – No Violation (NV)
 36. 18 NUR 779 – C.V.M. – Prosecutorial Discretion (P2)
 37. 19 NUR 017 – C.K.W. – Prosecutorial Discretion (P5)
 38. 19 NUR 048 – L.M.O. – No Violation
 39. 19 NUR 066 – M.J.J. – Insufficient Evidence (IE)
- Motion carried unanimously.

18 NUR 169 – P.J.C.

MOTION: Pamela White moved, seconded by Luann Skarlupka, to close DLSC Case Number 18 NUR 169, against P.J.C., for Insufficient Evidence (IE). Motion carried unanimously.

Proposed Stipulations and Final Decisions and Orders

MOTION: Jennifer Eklof moved, seconded by Pamela White, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings of the following cases:

1. 17 NUR 132 – Lori L. Lasee, R.N.
2. 17 NUR 320 – Jenny L. Nowak, R.N.
3. 17 NUR 644 – Amanda M. Gatrell, R.N.
4. 17 NUR 763 – Anne E. Rachwel, R.N.
5. 18 NUR 040 – Stephanie N. Bylsma, L.P.N.
6. 18 NUR 061 – Renee E. Rosencrans, R.N.
7. 18 NUR 069 – Holly Bowyer, R.N., A.P.N.P.
8. 18 NUR 114 – Kristine J. Racer, R.N.
9. 18 NUR 114 – Shelby L. Braun, R.N.
10. 18 NUR 132 – Sharon A. Embke, R.N.
11. 18 NUR 135 – Caressa L. Scott, L.P.N.
12. 18 NUR 145 – Jessica N. Erby, R.N.
13. 18 NUR 153 – Teresa L. Moran, L.P.N.
14. 18 NUR 253 – Peter K. Lemons, R.N.
15. 18 NUR 361 – Pamela E. Englehart, R.N.
16. 18 NUR 434 – Carrie A. Buchholz, R.N.
17. 18 NUR 680 – Gabrielle Warzecha, R.N.
18. 18 NUR 695 – Donald L. Vollmer, III, R.N.
19. 19 NUR 083 – Andrew R. Barca, R.N.

Motion carried unanimously.

Monitoring Matters

Quinn Knetter, R.N. Requesting Full Licensure

MOTION: Pamela White moved, seconded by Luann Skarlupka, to grant the request of Quinn Knetter, R.N. for full licensure. Motion carried unanimously.

San-Hua Robinson, R.N. Requesting Reduction in Screens and Reduction in AODA

MOTION: Pamela White moved, seconded by Luann Skarlupka, to grant the request of San-Hua Robinson, R.N. for a reduction in the frequency of drug screens to 28 screens per year, plus one annual hair test, and a reduction in AA/NA meetings to one per week. Motion carried unanimously.

Diane White, R.N. Requesting Full Licensure

MOTION: Rosemary Dolatowski moved, seconded by Pamela White, to grant the request of Diane White, R.N., for full licensure. Motion carried unanimously.

Mina Cleereman, R.N.
Requesting Reinstatement of Full Licensure

MOTION: Pamela White moved, seconded by Lisa Pisney, to grant the request of Mina Cleereman, R.N. for reinstatement of full licensure. Motion carried unanimously.

Dean Drake, R.N.
Requesting Reinstatement of Full Licensure

MOTION: Pamela White moved, seconded by Luann Skarlupka, to grant the request of Dean Drake, R.N., for reinstatement of full licensure. Motion carried unanimously.

Jeffrey Peters, R.N.
Requesting Reinstatement of Full Licensure

MOTION: Luann Skarlupka moved, seconded by Pamela White, to deny the request of Jeffrey Peters, R.N., for reinstatement of full licensure. **Reason for Denial:** Failure to demonstrate continuous and successful compliance (i.e. submission of work reports). Respondent needs to fully comply with the complete terms and conditions of the original Board Order (1/27/2011). Motion carried unanimously.

Jessica Placek, R.N.
Requesting Reinstatement of Full Licensure or Reduction in Drug and Alcohol Screens

MOTION: Pamela White moved, seconded by Lisa Pisney, to deny the request of Jessica Placek, R.N., for reinstatement of full licensure and to grant reduction in the frequency of drug screens to 14 per year plus one annual hair test. **Reason for Denial:** Insufficient time under the Board Order (7/23/2010) to demonstrate continuous and successful compliance. Motion carried unanimously.

Stacy Rutsch, R.N.
Requesting Termination of Direct Supervision, Termination of Treatment Requirement and Termination or Reduction in AA/NA Meetings

MOTION: Luann Skarlupka moved, seconded by Rosemary Dolatowski, to deny the request of Stacy Rutsch, R.N., for termination of direct supervision, and to grant the termination of treatment requirement and a reduction in AA/NA meetings to one per week. **Reason for Denial:** Insufficient time under the Board Order (8/10/2018) to demonstrate adequate compliance. Motion carried unanimously.

Lindsey Sears, R.N.
Requesting Full Licensure

MOTION: Luann Skarlupka moved, seconded by Pamela White, to grant the request of Lindsey Sears, R.N., for full licensure. Motion carried unanimously.

Matthew Staudinger, R.N.

Requesting Reduction in Drug Screens and Termination of AA/NA Verification Logs

MOTION: Pamela White moved, seconded by Rosemary Dolatowski, to deny the request of Matthew Staudinger, R.N., for termination of AA/NA verification logs and to grant a reduction in the frequency of drug screens to 28 per year plus one annual hair test. **Reason for Denial:** Failure to demonstrate continuous and successful compliance (i.e. positive alcohol tests). Respondent needs to fully comply with the complete terms and conditions of the original Board Order (1/5/2016). Motion carried unanimously.

Tabitha Vanden Plas, R.N.

Requesting Reinstatement of Full Licensure

MOTION: Pamela White moved, seconded by Rosemary Dolatowski, to grant the request of Tabitha Vanden Plas, R.N., for full licensure. Motion carried unanimously.

Jordan Waly, R.N.

Requesting Review of AODA Assessment

MOTION: Luann Skarlupka moved, seconded by Pamela White, remove any limitations to the license of Jordan Waly, R.N. Motion carried unanimously.

Patricia Bolan, R.N.

Requesting Termination of Direct Supervision, Reduction in Screens and Termination of AA/NA Meetings

MOTION: Luann Skarlupka moved, seconded by Pamela White, to deny the request of Patricia Bolan, R.N., for a reduction in the frequency of drug screens, and to grant the request for termination of direct supervision, and a reduction in AA/NA meetings to one per week. **Reason for Denial:** Insufficient time under the Board Order (5/11/2017) to demonstrate adequate compliance. Motion carried unanimously.

Christina Brockhaus, R.N.

Requesting Termination of Direct Supervision, Decrease in Treatment Sessions and Reduction in Screens

MOTION: Lisa Pisney moved, seconded by Pamela White, to deny the request of Christina Brockhaus, R.N., for termination of direct supervision, and to grant reduction in the frequency of drug screens to 36 per year, with treatment sessions per treater. **Reason for Denial:** Insufficient time under the Board Order (7/23/2018) to demonstrate adequate compliance. Motion carried unanimously.

(Jennifer Eklof returned to the meeting at 12:19 p.m.)

Joni Eberhardy, R.N.
**Requesting Full Licensure OR Termination of Practice Limitations, Termination or
Decrease in AA/NA Meetings and Reduction in Screens**

MOTION: Luann Skarlupka moved, seconded by Rosemary Dolatowski, to grant the request of Joni Eberhardy, R.N., for full licensure. Motion carried unanimously.

Lisa Halpin, L.P.N.
Requesting Full Licensure

MOTION: Luann Skarlupka moved, seconded by Lisa Pisney, to grant the request of Lisa Halpin, L.P.N., for full licensure. Motion carried unanimously.

Anna Juckem, R.N.
Requesting Full Licensure

MOTION: Lisa Pisney moved, seconded by Pamela White, to grant the request of Anna Juckem, R.N., for full licensure. Motion carried unanimously.

Kristina Kendall, L.P.N.
Review of AODA Assessment

MOTION: Luann Skarlupka moved, seconded by Jennifer Eklof, to table the matter concerning Kristina Kendall, L.P.N., and to request she appear at the October 10, 2019 meeting. Motion carried unanimously.

DELIBERATION ON PROPOSED FINAL DECISIONS AND ORDERS

Rhonda Pace, L.P.N.

MOTION: Pamela White moved, seconded by Lisa Pisney, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Rhonda Pace, L.P.N., Respondent – DHA Case Number SPS-19-0027/DLSC Case Numbers 17 NUR 655 and 18 NUR 244. Motion carried unanimously.

DELIBERATION ON MATTERS RELATING TO COSTS/ORDERS FIXING COSTS

Mary E. Akins, R.N., Respondent (DHA Case Number SPS-18-0048/DLSC Case Number 17 NUR 001)

MOTION: Luann Skarlupka moved, seconded by Rosemary Dolatowski, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Mary E. Akins, R.N., Respondent – DHA Case Number SPS-18-0048/DLSC Case Number 17 NUR 001. Motion carried unanimously.

Jill Y. Kimmes, L.P.N., Respondent (DHA Case Number SPS-19-0024/DLSC Case Number 17 NUR 031)

MOTION: Luann Skarlupka moved, seconded by Rosemary Dolatowski, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Jill Y. Kimmes, L.P.N., Respondent – DHA Case Number SPS-19-0024/DLSC Case Number 17 NUR 031. Motion carried unanimously.

Derek P. Steinke, R.N., Respondent (DHA Case Number SPS-18-0046/DLSC Case Number 17 NUR 034)

MOTION: Luann Skarlupka moved, seconded by Rosemary Dolatowski, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Derek P. Steinke, R.N., Respondent – DHA Case Number SPS-18-0046/DLSC Case Number 17 NUR 034. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Pamela White moved, seconded by Luann Skarlupka, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 1:14 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

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

(Lisa Pisney was out of the room for this vote.)

The meeting adjourned at 1:28 p.m.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Cori Altmann, on behalf of Attorney Gretchen Mrozinski, Division of Legal Services and Compliance		2) Date When Request Submitted: August 7, 2019 <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: September 12, 2019	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Guidance on case resolution involving addiction issues, impairment and diversion	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? Gretchen Mrozinski <input checked="" 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: DLSC is seeking guidance from the Board relating to appropriate resolution when impairment, diversion, alcohol/drug dependence, and/or illegal use of drugs are involved.			
11) Authorization <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">  Signature of person making this request </div> <div style="width: 35%; text-align: right;"> 8/7/19 Date </div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Supervisor (if required)</div> <div style="width: 35%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</div> <div style="width: 35%; text-align: right;">Date</div> </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: Dale Kleven Administrative Rules Coordinator		2) Date When Request Submitted: 9/30/19 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: 10/10/19	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Adoption Order: CR 18-050, Relating to Advance Practice Nurse Prescribers’ Collaboration with Dentists 2. Preliminary Draft Rules: N 2, Relating to Licensure 3. 2017 Wisconsin Act 262 Report 4. Update from the Legislation and Rules Committee 5. Pending or Possible Rulemaking Projects	
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:			
11) Authorization			
<i>Dale Kleven</i>		<i>September 30, 2019</i>	
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
BOARD OF NURSING

IN THE MATTER OF RULE-MAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	BOARD OF NURSING
BOARD OF NURSING	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 18-050)

ORDER

An order of the Board of Nursing to amend N 8.10 (2), (5) and (7) relating to advance practice nurse prescribers' collaboration with dentists.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: s. 441.16, Stats.

Statutory authority: ss. 15.08 (5) (b) and 441.16 (3) (b), Stats.

Explanation of agency authority:

Each examining board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession. [s. 15.08 (5) (b), Stats.]

The board shall promulgate rules necessary to administer this section, including rules for defining the scope of practice within which an advanced practice nurse may issue prescription orders. [s. 441.16 (3) (b), Stats.]

Related statute or rule: s. 441.16, Stats. and ch. N 8, Wis. Admin. Code

Plain language analysis:

Advanced practice nurse prescribers are required to work in collaboration with other health care professionals with at least one being a physician. As health care practice evolves, there are advanced practice nurse prescribers who work in dental practice settings. These dental practice settings may not have a physician as part of the practice. This rule amends the rule to require advanced practice nurse prescribers to work in a collaborative relationship with a physician or dentist.

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

Comparison with rules in adjacent states:

Illinois: Illinois requires an advanced practical nurse to additionally hold a separate license for the prescribing of controlled substances. In order to obtain a mid-level practitioner controlled substances license, the advance practice nurse is required to provide the license number and controlled substances license number of the of the delegating or collaborating physician or podiatrist and the written notice of delegation of prescriptive authority signed by the physician or podiatrist including the schedule of controlled substances that the mid-level practitioner may dispense or prescribe.

Iowa: Iowa licenses nurses at three levels: licensed practical nurse, registered nurse and advanced registered nurse practitioner. The advanced registered nurse prescriber has a scope of practice which includes prescriptive authority. There is no equivalent certification in Iowa to the Wisconsin advance practice nurse prescriber certificate.

Michigan: Michigan licenses nurses at two levels: licensed practical nurse and registered nurse. Michigan has specialty certifications for a nurse anesthetist, nurse midwife and nurse practitioner. There is no equivalent certification in Michigan to the Wisconsin advance practice nurse prescriber certificate.

Minnesota: Minnesota licenses nurses at three levels: licensed practical nurse, registered nurse and advanced practice registered nurse. The advanced practice registered nurse has a scope of practice which includes prescriptive authority. There is no equivalent certification in Minnesota to the Wisconsin advance practice nurse prescriber certificate.

Summary of factual data and analytical methodologies:

Advanced practice nurse prescribers, particularly nurse anesthetists, are working in dental offices that do not employ physicians. This rule recognizes this evolving practice and allows for a collaborative relationship with a dentist.

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

This rule was posted for economic comments and none were received. This rule creates an additional option for collaboration.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These 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 Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-261-4472; email at DSPSAdminRules@wisconsin.gov.

TEXT OF RULE

SECTION 1. N 8.10 (2), (5), and (7) are amended to read:

N 8.10 (2) Advanced practice nurse prescribers shall facilitate collaboration with other health care professionals, at least 1 of whom shall be a physician, or dentist, through the use of modern communication techniques.

(5) The board shall promote communication and collaboration among advanced practice nurse prescribers, physicians, dentists and other health care professionals.

(7) Advanced practice nurse prescribers shall work in a collaborative relationship with a physician or dentist. The collaborative relationship is a process in which an advanced practice nurse prescriber is working with a physician or dentist in each other's presence when necessary, to deliver health care services within the scope of the practitioner's training, education, and experience. The advanced practice nurse prescriber shall document this relationship.

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

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<p>1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected</p>	<p>2. Date 28 June 2018</p>
<p>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) N 8.10</p>	
<p>4. Subject Advanced practice nurse prescribers collaborating with dentists</p>	
<p>5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S</p>	<p>6. Chapter 20, Stats. Appropriations Affected</p>
<p>7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget</p>	
<p>8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)</p>	
<p>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0.00</p>	
<p>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>11. Policy Problem Addressed by the Rule Advanced practice nurse prescribers are required to work in collaboration with other health care professions with at least one being a physician. As health care practice evolves, there are advanced practice nurse prescribers, particularly nurse anesthetists, working in dental offices that do not employ physicians. This rule amends the rule to require advanced practice nurse prescribers to work in a collaborative relationship with a physician or dentist.</p>	
<p>12. 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 and none were received.</p>	
<p>13. Identify the Local Governmental Units that Participated in the Development of this EIA. Local governmental units were not contacted in the development of this EIA. The rule does not affect governmental units..</p>	
<p>14. 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 on specific businesses, business sectors, public utility rate payers, local governmental units or the State's economy as a whole.</p>	
<p>15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule The benefit for implementing the rule is to increase access to health care.</p>	
<p>16. Long Range Implications of Implementing the Rule The long range implications are recognition of changes in health care practices and to increase access to dental care.</p>	
<p>17. Compare With Approaches Being Used by Federal Government None</p>	
<p>18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)</p>	

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

Illinois requires an advanced practical nurse to additionally hold a separate license for the prescribing of controlled substances. In order to obtain a mid-level practitioner controlled substances license, the advance practice nurse is required to provide the license number and controlled substances license number of the of the delegating or collaborating physician or podiatrist and the written notice of delegation of prescriptive authority signed by the physician or podiatrist including the schedule of controlled substances that the mid-level practitioner may dispense or prescribe.

Iowa and Minnesota license nurses at three levels: licensed practical nurse, registered nurse and advanced registered nurse practitioner. The advanced registered nurse prescriber has a scope of practice which includes prescriptive authority. There is no equivalent certification in Iowa or Minnesota to the Wisconsin advance practice nurse prescriber certificate.

Michigan licenses nurses at two levels: licensed practical nurse and registered nurse. Michigan has specialty certifications for a nurse anesthetist, nurse midwife and nurse practitioner. There is no equivalent certification in Michigan to the Wisconsin advance practice nurse prescriber certificate.

19. Contact Name Sharon Henes	20. Contact Phone Number (608) 261-2377
----------------------------------	--

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

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

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)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
-

STATE OF WISCONSIN
BOARD OF NURSING

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : BOARD OF NURSING
BOARD OF NURSING : ADOPTING RULES
: (CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Board of Nursing to **repeal** N 2.20; to **renumber and amend** N 2.12 (2) (a); to **amend** N 2.12 (2) (intro.), 2.21 (title), (1) (a) (intro.) and (b) (intro.), and (2) (e), and 2.35 (1); and to **create** N 2.12 (2) (a) 1. and 2., relating to licensure.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Sections 441.06, 441.08, and 441.10, Stats..

Statutory authority: Sections 15.08 (5) (b) and 441.01 (3), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides that each examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 441.01 (3), Stats., provides that the Board of Nursing “may establish minimum standards for schools for professional nurses and schools for licensed practical nurses, including all related clinical units and facilities, and make and provide periodic surveys and consultations to such schools. It may also establish rules to prevent unauthorized persons from practicing professional nursing. It shall approve all rules for the administration of this chapter in accordance with ch. 227.”

Related statute or rule:

Sections 441.06, 441.08, and 441.10, Stats..

Plain language analysis:

In 2014, the Board completed a comprehensive update of the licensure provisions in ch. N 2. Since that time, the Board has received stakeholder feedback that has led the Board to determine that some of the licensure provisions in ch. N 2 require revision. In addition, current rules do not reflect 2017 Wisconsin Act 329, which eliminated the requirement that an applicant for renewal of a temporary permit under s. 441.08, Stats., complete the nursing workforce survey administered by the Wisconsin Department of Workforce Development. To address these issues, the proposed rules make the following changes:

- Section N 2.12 (2) (intro.) is revised to clarify that acceptable documentation of nursing education is the same for education completed at a nursing school located in a U.S. territory and education completed at a nursing school located in the United States.
- Section N 2.12 (2) (a) is revised to allow a professional nursing applicant to document education by submitting a credential evaluation service academic report and demonstration of passing a Board-accepted language proficiency exam.
- The requirements for single-state licensure by endorsement in ss. N 2.20 (endorsement of an applicant from a nurse licensure compact state) and N 2.21 (endorsement of an applicant from another U.S. state, U.S. territory, or Canada) are consolidated.
- Section N 2.21 (2) (e), which requires an applicant to provide the Board with all information related to termination from any employment related to nursing, is revised to apply to termination from employment that occurred within the 10 years immediately preceding the date of application.
- Section N 2.35 (1), relating to renewal of a temporary permit for a registered nurse or practical nurse, is revised to reflect the provisions of 2017 Wisconsin Act 329 by eliminating the requirement to complete the nursing workforce survey.

Summary of, and comparison with, existing or proposed federal regulation:

None.

Comparison with rules in adjacent states:

Illinois:

An applicant is eligible for nurse licensure by examination if the applicant completes an application, pays the applicable fee, submits to a criminal background check, and graduates from an approved school. If educated outside of the United States, the education must be evaluated by the Commission on Graduates of Foreign Nursing Schools. A nurse is eligible for licensure if the applicant completes an application; pays the fee; submits to a criminal background check; graduates from an approved school; and submits verification of licensure status from the jurisdiction of original licensure, the current state of licensure, and all states the applicant has directly practiced in within the last 5 years. If educated outside of the United States, the education must be evaluated by the Commission on Graduates of Foreign Nursing Schools.

Iowa:

An applicant is eligible for nurse licensure by examination if the applicant graduated from high school or the equivalent, completes an application, pays the applicable fee, graduated from an approved program, and passes the NCLEX. If the person has a criminal conviction history or prior disciplinary action, the applicant must receive board approval. If educated outside of the United States, the education must be evaluated by the Commission on Graduates of Foreign Nursing Schools. A nurse from a compact state must submit a completed application, pay the applicable fee, and declare Iowa as their primary state. A nurse is eligible for licensure by endorsement from a non-compact state if the applicant completes an application, pays the applicable fee, provides verification of original licensure and nursing program transcripts, and submits to a criminal background check. If educated outside of the United States, the education must be evaluated by the Commission on Graduates of Foreign Nursing Schools. If the person has a criminal conviction history or prior disciplinary action, the applicant must receive board approval.

Michigan:

An applicant is eligible for nurse licensure by examination if the applicant completes an application, pays the applicable fees, and verifies successful completion of an approved nursing education program and the NCLEX. If educated outside of the United States, the education must be evaluated by the Commission on Graduates of Foreign Nursing Schools. A nurse is eligible for licensure by endorsement if the applicant completes an application, pays the applicable fee, verifies graduation from an approved school of nursing, and was first licensed in another state pursuant to passage of NCLEX.

Minnesota:

An applicant is eligible for licensure by examination if the applicant completes an application, pays the applicable fee, and verifies graduation from an approved nursing school and successful completion of the NCLEX. If educated outside of the United States, the education must be evaluated by the Commission on Graduates of Foreign Nursing Schools. A nurse is eligible for licensure by endorsement if the applicant completes an application, pays the applicable fee, verifies licensure in another jurisdiction and successful completion of an examination acceptable to the board, and answers questions related to any prior disciplinary actions. If the applicant has not engaged in acceptable nursing practice within the 2 years preceding application, the applicant must complete one contact hour of continuing education for each month that the applicant was not engaged in acceptable practice, subject to a maximum of 60 hours. If the applicant has not practiced for more than 5 years, the applicant must complete a nurse refresher course.

Summary of factual data and analytical methodologies:

The Board reviewed the provisions of ch. N 2, taking into consideration stakeholder feedback and the provisions of 2017 Wisconsin Act 329.

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

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

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 Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; telephone 608-261-4472; email at DSPSAdminRules@wisconsin.gov.

TEXT OF RULE

SECTION 1. N 2.12 (2) (intro.) is amended to read:

N 2.12 (2) (intro.) The school of professional nursing or practical nursing shall forward directly to the department, official transcripts of nursing education for applicants who graduated from the school. If the applicant graduated from a school of professional nursing or practical nursing ~~from a U.S. territory or outside~~ not located in the United States or a U.S. territory, the applicant shall submit any of the following:

SECTION 2. N 2.12 (2) (a) is renumbered N 2.12 (2) (a) (intro.) and amended to read:

N 2.12 (2) (a) (intro.) For a professional nursing applicant, ~~a valid certificate issued by the commission on graduates of foreign nursing schools or another board-approved entity which evaluates education.~~ one of the following:

SECTION 3. N 2.12 (2) (a) 1. and 2. are created to read:

N 2.12 (2) (a) 1. A valid certificate issued by the Commission on Graduates of Foreign Nursing Schools or another board-approved entity that evaluates education.

2. A credential evaluation service academic report and demonstration of passing a board-accepted language proficiency exam.

SECTION 4. N 2.20 is repealed.

SECTION 5. N 2.21 (title), (1) (a) (intro.) and (b) (intro.), and (2) (e) are amended to read:

N 2.21 (title) Endorsement of an applicant ~~from another U.S. state, territory or Canada~~ for a single state license.

(1) (a) (intro.) A license from a another U.S. state ~~that has not adopted the nurse licensure compact under s. 441.51, Stats.~~, a U.S. territory, or Canada is considered to have met educational and other qualifications comparable to those required in this state provided the requirements of the initial license included all of the following:

(b) (intro.) An applicant, whose initial license from another U.S. state, U.S. territory, or Canada does not meet the requirements in par. (a), shall submit all of the following to the board to assist the board in determining whether the qualifications are comparable:

(2) (e) An applicant who has been terminated from any employment related to nursing within the 10 years immediately preceding the date of application shall provide the board with all related information necessary to determine current competency.

SECTION 6. N 2.35 (1) is amended to read:

N 2.35 (1) A temporary permit for a registered nurse or practical nurse may be renewed once by completing an application, ~~completing a nursing workforce survey and payment of~~ paying applicable fees.

SECTION 7. 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)

Sheryl Krause
Chairperson

Peter Kallio
Vice Chairperson

Lillian Nolan
Secretary

WISCONSIN BOARD OF NURSING



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

Email: dsps@wisconsin.gov
Voice: 608-266-2112
FAX: 608-267-3816

REPORT ON OPIOID ABUSE

Proactive Efforts Taken by the Board of Nursing to Address Opioid Abuse

- 1. Controlled Substances Prescribing Guidelines** – The Board of Nursing adopted Best Practices for Prescribing Controlled Substances Guidelines (Guidelines) on January 12, 2017. The Guidelines were developed using the following:
 - Centers for Disease Control’s *Guideline for Prescribing Opioids for Chronic Pain*.
 - American Association of Nurse Anesthetists’ *Chronic Pain Management Guidelines*.
 - American Nurses Association’s *Nursing’s Role in Addressing Nation’s Opioid Crisis*.
 - Federal Drug Administration’s *Blueprint for Prescriber Education for Extended-Release and Long-Acting Opioid Analgesics*.
 - Wisconsin Medical Examining Board’s *Opioid Prescribing Guideline*.
 - Michigan’s *Guidelines for the Use of Controlled Substances for the Treatment of Pain*.
 - The Joint Commission’s *Statement on Pain Management*.
 - National Transportation Safety Board recommendations for advising patients of the effect controlled substances may have on their ability to safely operate a vehicle.The Board of Nursing published the Guidelines in their newsletter and provided a copy of the Guidelines to every advanced practice nurse prescriber with an active license and an email on file with the Department of Safety and Professional Services. A copy of the Guidelines is available at <https://dsps.wi.gov/Documents/BoardCouncils/NUR/BONGuidelinesV1.pdf>
- 2. Controlled Substances Continuing Education** - The Board of Nursing requires each advanced practice nurse prescriber to complete 2 hours of the required 16 hours of continuing education in the topic of responsible prescribing of controlled substances.
- 3. Prescription Drug Monitoring Program (PDMP) Information in Newsletter** – The Board of Nursing has highlighted information regarding the Prescription Drug Monitoring Program in their newsletter.
- 4. PDMP Targeted Outreach** – The Board of Nursing is currently conducting targeted outreach for advanced practice nurse prescribers with estimated PDMP usage of less than 50% to educate those prescribers about use of the PDMP and tools available in the PDMP that can help promote safe controlled substance prescribing practices.
- 5. PDMP Prescribing Metrics for Prescribing Practice Complaints** – The Board of Nursing Screening Panel reviews the PDMP Prescribing Metrics Summary for any advanced practice nurse prescriber who has a complaint relating to the advance practice nurse prescriber’s prescribing practice.

Goals for Addressing the Issue of Opioid Abuse as it Relates to the Practice of Nursing

- 1. Compliance with Provider Review Requirement** – 100% compliance with the provider review requirement.
- 2. Education Regarding Safe Opioid Prescribing for Certified Registered Nurse Anesthetists** – The Board of Nursing recognizes there is an opportunity to provide further education to certified registered nurse anesthetists in the area of safe opioid prescribing. Therefore, the Board of Nursing will provide education, including partnering with other organizations, and promote safe opioid prescribing for certified registered nurse anesthetists,
- 3. Education Regarding Discharge and Pain Management** – The Board of Nursing recognizes that all nurses have a role to play in addressing the issue of opioid abuse. Therefore, the Board of Nursing will provide education, including partnering with other organizations, on the best practices for discharge as it relates to pain management.
- 4. PDMP Outreach** – The Board of Nursing recognizes that nurses are still unaware of the many features of the PDMP. Therefore, the Board of Nursing will work with PDMP staff to provide and promote PDMP outreach opportunities.
- 5. PDMP prescribing outliers** – The Board of Nursing will utilize PDMP data to determine those advance practice nurse prescribers whose prescribing practice are outliers and develop a process for follow-up with identified advanced practice nurse prescribers.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Kimberly Wood, Program Assistant Supervisor-Adv.		2) Date When Request Submitted: 10/1/2019 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: 10/10/2019	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Nursing Forward Newsletter-Review for Distribution	
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: See the following articles in the attached Newsletter Content document for the next newsletter. The Board should set a distribution deadline: <ol style="list-style-type: none"> 1. Chair's Corner – Kallio <ol style="list-style-type: none"> a. Recognition of Lillian Nolan b. "Education re: Best Practices for Discharge as it Relates to Pain Management" 2. Legislation and Administrative Rules Committee Update – Skarlupka 3. Topics Resulting from the NCSBN Annual Meeting – Sybell 4. New Member Articles and photos – Zentz and Pisney 5. Wisconsin Center for Nursing Article – Barbara Nichols The newsletter drafts are still pending the receipt of content and should hopefully be available on SharePoint prior to the 10/10/2019 meeting.			
11) Authorization			
<i>Kimberly Wood</i>		10/1/2019	
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: <ol style="list-style-type: none"> 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. 			

Chairs Corner

By Peter Kallio, DNP, CRNA, APNP

Pending, topics to include:

- Recognition of Lillian Nolan
- “Education re: Best Practices for Discharge as it Relates to Pain Management”

Legislation and Rules Committee Continues Review of Certified Nurse Midwives Administrative Rule N 4

By Luann Skarlupka, Legislative Liaison and Public Member

The Legislation and Rules Committee of the Board of Nursing is continuing its review of Chapter N 4 of the Administrative Rules which governs the practice of Certified Nurse Midwives. The Committee is grateful for the dedicated Certified Nurse Midwives and other stakeholders who have attended the committee meetings to provide insight and input. The Board reviews all Administrative Code on a regular basis to ensure the rules reflect and support current practice. Chapter N 4 has not been formally reviewed in more than a decade.

Committee meetings typically occur before the regularly scheduled full board meeting. Meetings are held in Madison at the Department of Safety and Professional Services building, 4822 Madison Yards Way, Second Floor Conference Room N208. Future Committee meeting dates and times can be found at <https://dsps.wi.gov/Pages/BoardsCouncils/Nursing/Meetings.aspx>. If you cannot attend the meeting but would like to provide insight, please contact the Board's Administrative Rules Coordinator, Dale Kleven at Dale2.Kleven@wisconsin.gov.

Wisconsin Report from Inside the 2019 NCSBN Annual Meeting

By Debra Sybell, Executive Director

Delegates of nursing regulatory bodies from across the nation gathered in Chicago August 21-23 for the 2019 Annual Meeting of the National Council of State Boards of Nursing ([NCSBN](#)). It was a time to reflect, collaborate, and take care of NCSBN business with Beth Smith-Houskamp, PhD, RN representing the Wisconsin Board of Nursing.

NCSBN Board of Directors President Julia George kicked off the meeting by highlighting the organization's activities, progress, and collaborative efforts over the past year which include establishing an APRN Task Force, advancing the [Nurse Licensure Compact](#), and participating in the [Tri-Regulator Collaborative](#) along with the Federation of State Medical Boards and the National Association of Boards of Pharmacy.

Annual meeting attendees engaged the NCSBN Board of Directors on a variety of topics including the Nurse Licensure Compact; APRN education, scope and variability of full practice

authority; occupational licensing reform; Next Generation NCLEX; admission criteria for nurse education programs; and how technology may impact regulations in the future.

At the end of the day, the NCSBN Delegate Assembly approved the [Strategic Initiatives for 2020-2022](#) and adopted the [2020 NCLEX-PN Test Plan](#). Ultimately, NCSBN punted on taking up the [APRN Compact](#), citing the complexity of finding a solution that will garner support given the variation in state progress towards the [APRN Consensus Model](#).

Keynote speaker [Erik Wahl](#) closed out the annual meeting with a crowd-pleasing presentation that combined music, live painting, video imagery and his own version of *Let's Make a Deal* to challenge attendees to explore, innovate, and create.

New Member Introductions

By Lisa Pisney, NP

I am currently employed as a Nurse Practitioner in the division of GI/Hepatology at Gunderson Health in La Crosse. I have worked as a Registered Nurse since my graduation from the University of South Carolina in 1993. I worked as a RN, primarily in surgery and ICU settings, for 10 years prior to getting my Master of Science in Nursing and my certification as an Adult Nurse Practitioner at the University of Colorado at Colorado Springs. I have been an Adult Nurse Practitioner for the past 15 years and have spent most of those years working in Gastroenterology and Hepatology.

My husband was in the Army for 20 years and my career has followed him to many different states and positions. We are originally from the Midwest and returned here after he retired. I have been able to experience differences in health care across the United States and have personally seen the disparity of health care that exists. I have worked for both the VA healthcare system and the private sector. I feel that this has given me a great ability to be able to speak from a background of great depth of experience in nursing.

By Emily Zentz, RN-BSN

I am a new member on the board since April 2019. I am also an Alumni of the University of Wisconsin Madison School of Nursing and currently work as a staff nurse in the Emergency Department at the William S. Middleton Memorial Veteran Hospital and UW Health at the American Center in Madison. My path to Nursing was not a traditional one as I spent twelve years in the Biotech industry working in Molecular Biology, Genomics, and Microbiology prior to becoming a Registered Nurse in 2016. It is an honor to be on the board and I look forward to serving the State of Wisconsin and acting as a resource for RNs throughout the state.

Continuing the Vision: Future of Nursing 2020 – 2030

By Barbara Nichols, Wisconsin Center for Nursing

On March 20, 2019, The National Academy of Medicine (NAM) launched a new study on the future of nursing. The goal of the new Committee on the Future of Nursing 2020-2030 is to extend the original vision and chart a course for the nursing profession to help our nation create a culture of health, reduce health disparities, and improve the health and wellbeing of the U.S. population in the 21st century.

Nearly 10 years ago, NAM published the forward-thinking report: *The Future of Nursing: Leading Change, Advancing Health*, which included recommendations to improve access to safe and high-quality patient care through nursing. The landmark report called for action to build the capacity of the nursing workforce by:

- Fostering interprofessional collaboration,
- Improving diversity by making it a workforce priority,
- Increasing the proportion of baccalaureate-prepared nurses by 2020,
- Doubling the number of doctorally-prepared nurses by 2020,
- Utilizing advanced practice RNs (APRNs) to the full extent of their education and training,
- Ensuring that healthcare leadership positions are available to and filled by nurses.

During 2020, the Committee on the Future of Nursing 2020-2030 will highlight the unprecedented progress made, including recommendations leading to the context for the second report.

2018 Wisconsin RN Workforce Survey Report

Wisconsin is facing an impending primary care workforce shortage. Wisconsin's 90,143 registered nurses (RNs) are uniquely positioned to help meet the growing demand for effective primary care.

The 2018 Wisconsin RN Workforce Survey is required by Wisconsin State Statute. The survey is conducted by the Wisconsin Department of Safety and Professional Services, the Wisconsin Department of Workforce Development, and the Wisconsin Center for Nursing. This report offers recommendations for regional variation in nursing practice, education, and policy. It also includes evidence-based analysis by the research team from the University of Wisconsin – Madison, School of Nursing, and the Wisconsin Center for Nursing.

Through the data analysis, the researchers found the shift in health care reform and delivery suggests that health care organizations, in partnership with schools of nursing and communities, should emphasize recruitment, retention, and succession planning for optimum RN utilization.

Read the full report at www.wicenterfornursing.org