



HYBRID (IN-PERSON/VIRTUAL)
BOARD OF NURSING
Room N208, 4822 Madison Yards Way, 2nd Floor, Madison
Contact: Brad Wojciechowski (608) 266-2112
April 13, 2023

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board. Be advised that board members may attend meetings designated as "Hybrid" in-person or virtually.

AGENDA

8:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-7)**
- B. Approval of Minutes of February 9, 2023 (8-13)**
- C. Special Appearance – Lieutenant Governor, Sara Rodriguez – Discussion and Consideration (14)**
- D. Reminders: Conflicts of Interests, Scheduling Concerns**
- E. Introductions, Announcements and Recognition – Discussion and Consideration**
- F. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Board Updates
 - 2) Board Members – Term Expiration Dates
 - a. Anderson, John G. – 7/1/2025
 - b. Edelstein, Janice A. – 7/1/2024
 - c. Guyton, Vera L. – 7/1/2025
 - d. McFarland, Rosalyn L. – 7/1/2026
 - e. Saldivar Frias, Christian – 7/1/2023
 - f. Scott, Linda D. – 7/1/2023
 - g. Weinman, Robert W. – 7/1/2023
 - h. Zentz, Emily – 7/1/2023
- G. Education and Examination Matters – Discussion and Consideration**
 - 1) 2022 Nursing School Pass Rates **(15-16)**
- H. Legislative and Policy Matters – Discussion and Consideration**
 - 1) 2021 Wisconsin Act 158, Relating to Practice of Certain Skilled Health Services by Military Medical Personnel and Granting Rule Making Authority

- I. Public Agenda Request: Wisconsin Nurses Association – Presentation Request – Discussion and Consideration (17)**
- J. Administrative Rule Matters – Discussion and Consideration (18)**
 - 1) Scope Statement: N 6, Relating to Delegated Acts **(19-20)**
 - 2) Preliminary Rule Draft: N2, Relating to Modification of the Board Review Process to take the NCLEX **(21-31)**
 - 3) Pending and Possible Rulemaking Projects **(32-34)**
- K. Opioid Abuse Goal Setting and Report Pursuant to Wis. Stat. 440.35 (2m)(c) – Discussion and Consideration (35)**
- L. Newsletter Matters – Discussion and Consideration (36)**
- M. Speaking Engagements, Travel, Public Relation Requests, and Reports**
 - 1) Travel Report: 2023 NCSBN Midyear Meeting – March 28-30, 2023 – Seattle, WA – Robert Weinman and John Anderson
 - 2) Travel Report: University of Wisconsin- Eau Claire College of Nursing and Health Sciences – April 5, 2023 - Virtual
- N. Nurse Licensure Compact (NLC) Update – Discussion and Consideration
- O. Liaison Reports – Discussion and Consideration
- P. Discussion and Consideration of Items Added After Preparation of Agenda:
 - 1) Introductions, Announcements and Recognition
 - 2) Administrative Matters
 - 3) Election of Officers
 - 4) Appointment of Liaisons and Alternates
 - 5) Delegation of Authorities
 - 6) Education and Examination Matters
 - 7) Credentialing Matters
 - 8) Practice Matters
 - 9) Legislative and Policy Matters
 - 10) Administrative Rule Matters
 - 11) Liaison Reports
 - 12) Board Liaison Training and Appointment of Mentors
 - 13) Public Health Emergencies
 - 14) Informational Items
 - 15) Division of Legal Services and Compliance (DLSC) Matters
 - 16) Presentations of Petitions for Summary Suspension
 - 17) Petitions for Designation of Hearing Examiner
 - 18) Presentation of Stipulations, Final Decisions and Orders
 - 19) Presentation of Proposed Final Decisions and Orders
 - 20) Presentation of Interim Orders
 - 21) Petitions for Re-Hearing
 - 22) Petitions for Assessments
 - 23) Petitions to Vacate Orders
 - 24) Requests for Disciplinary Proceeding Presentations
 - 25) Motions
 - 26) Petitions

- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagements, Travel, Public Relation Requests, and Reports

Q. 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.).

R. Credentialing Matters

1) Application Reviews

- a. Michelle Connelly – RN Multistate Applicant **(37-73)**
- b. Holly Davis – RN Reinstatement Applicant **(74-165)**
- c. Marissa Petite – RN Applicant **(166-255)**

S. Deliberation on Division of Legal Services and Compliance Matters

1) Administrative Warnings

- a. 21 NUR 445 – I.M.H. **(256-258)**
- b. 21 NUR 445 – I.T.P. **(259-261)**
- c. 22 NUR 061 – A.R.P. **(262-263)**
- d. 22 NUR 360 – N.T.E. **(264-265)**
- e. 22 NUR 606 – A.R.P. **(266-267)**
- f. 22 NUR 649 – M.K.N. **(268-269)**
- g. 22 NUR 724 – C.J.B. **(270-272)**
- h. 22 NUR 727 – A.M.W.B. **(273-274)**
- i. 22 NUR 742 – C.L.H.F. **(275-276)**

2) Case Closings

- a. 21 NUR 453 – Unknown **(277-287)**
- b. 21 NUR 487 – I.T.K. **(288-293)**
- c. 21 NUR 620 – K.M.C. **(294-299)**
- d. 21 NUR 636 – L.M.P. **(300-303)**
- e. 21 NUR 643 – K.M.V. **(304-307)**
- f. 21 NUR 673 – J.R. **(308-315)**
- g. 21 NUR 778 – U.L.M. **(316-320)**
- h. 22 NUR 023 – I.A. **(321-328)**
- i. 22 NUR 070 – R.B. **(329-332)**
- j. 22 NUR 099 – T.M.B. **(333-338)**
- k. 22 NUR 120 – K.K. **(339-343)**
- l. 22 NUR 228 – R.D.K. **(344-357)**
- m. 22 NUR 247 – K.A.R. **(358-362)**
- n. 22 NUR 249 – Unknown **(363-372)**
- o. 22 NUR 256 – L.R.W. **(373-377)**
- p. 22 NUR 261 – Unknown **(378-388)**
- q. 22 NUR 314 – C.L.O. **(389-392)**
- r. 22 NUR 333 – B.F. **(393-404)**

- s. 22 NUR 352 – C.D.S. **(405-412)**
 - t. 22 NUR 393 – D.C.N. **(413-415)**
 - u. 22 NUR 470 – B.W. **(416-422)**
 - v. 22 NUR 485 – R.L.H. **(423-426)**
 - w. 22 NUR 493 – S.M.L. **(427-430)**
 - x. 22 NUR 512 – L.L.R. **(431-434)**
 - y. 22 NUR 513 – J.L.O. **(435-439)**
 - z. 22 NUR 524 – M.E.L. **(440-443)**
 - aa. 22 NUR 553 – K.B. **(444-447)**
 - bb. 22 NUR 558 – G.E.C. **(448-451)**
 - cc. 22 NUR 578 – D.A.W. **(452-459)**
 - dd. 22 NUR 621 – M.J.A. **(460-466)**
 - ee. 22 NUR 631 – L.M.D. **(467-472)**
 - ff. 22 NUR 677 – R.J. **(473-475)**
 - gg. 22 NUR 681 – Unknown **(476-481)**
 - hh. 22 NUR 686 – Unknown **(482-485)**
 - ii. 22 NUR 763 – Y.R.S. **(486-489)**
 - jj. 22 NUR 775 – K.K.S. **(490-495)**
 - kk. 22 NUR 776 – C.A.S. **(496-502)**
 - ll. 22 NUR 785 – N.A.L. **(503-507)**
 - mm. 22 NUR 796 – N.M.W. **(508-513)**
 - nn. 22 NUR 840 – J.S.T. **(514-520)**
 - oo. 22 NUR 873 – T.M.K. **(521-525)**
 - pp. 22 NUR 879 – E.N.L. **(526-533)**
 - qq. 23 NUR 014 – J.A.L. **(534-537)**
- 3) **Proposed Stipulations, Final Decisions, and Orders**
- a. 20 NUR 267 – Jessica J. Bosch, R.N., A.P.N.P. **(538-544)**
 - b. 21 NUR 140 – Jaymie L. Malik, R.N. **(545-561)**
 - c. 21 NUR 243, 21 NUR 341 – Jenni-Jo Clark, L.P.N. **(562-568)**
 - d. 21 NUR 292, 21 NUR 446, 22 NUR 083 – Mary B. Borsecnik, R.N. **(569-575)**
 - e. 21 NUR 341, 21 NUR 378 – Michelle M. Henriksen, R.N. **(576-582)**
 - f. 21 NUR 428 – Ambre L. Anderson, R.N. **(583-588)**
 - g. 21 NUR 528 – Mary K. Hillyer, R.N. **(589-594)**
 - h. 21 NUR 589 – Nico L. Ellingson, R.N. **(595-600)**
 - i. 21 NUR 634 – Amber L. Lewis, R.N. **(601-613)**
 - j. 21 NUR 694, 22 NUR 496 – Thomas S. Sura, R.N. **(614-621)**
 - k. 21 NUR 799, 22 NUR 004 – Clare M. Sommers, R.N. **(622-629)**
 - l. 21 NUR 801 – Michael J. Lee, R.N. **(630-637)**
 - m. 22 NUR 098 – Nancy K. Silverberg, L.P.N. **(638-644)**
 - n. 22 NUR 157 – Melissa R. Rice, R.N. **(645-652)**
 - o. 22 NUR 217 – Vicki L. Turtle-Overas, L.P.N. **(653-658)**
 - p. 22 NUR 234 – Sommer R. Bertalot, R.N. **(659-664)**
 - q. 22 NUR 291 – Kimberly Lange, L.P.N. **(665-670)**

- r. 22 NUR 292 – Dawn M. Ogilvie, L.P.N. **(671-676)**
 - s. 22 NUR 294 – Erica Y. Saavedra, R.N. **(677-682)**
 - t. 22 NUR 355 – Mary C. Bos, R.N. **(683-688)**
 - u. 22 NUR 365 – Terri L. Payne, R.N., A.P.N.P., C.N.M. **(689-696)**
 - v. 22 NUR 367 – Nicole L. Winchell, R.N. **(697-703)**
 - w. 22 NUR 373 – Lisa M. Olsen, L.P.N. **(704-711)**
 - x. 22 NUR 382 – Marcia A. Bauer, L.P.N. **(712-720)**
 - y. 22 NUR 387 – Kimberly A. Rupiper, R.N. **(721-728)**
 - z. 22 NUR 431 – Carrie A. Harpe, L.P.N. **(729-735)**
 - aa. 22 NUR 501 – Dana L. Taft, R.N. **(736-743)**
 - bb. 22 NUR 529 – Amy L. Hart, L.P.N. **(744-750)**
 - cc. 22 NUR 544 – Joshua D. Harrold, R.N. **(751-756)**
 - dd. 22 NUR 548 – Jessica K. Monfre, R.N. **(757-763)**
 - ee. 22 NUR 554 – Shari M. Davis, R.N. **(764-769)**
 - ff. 22 NUR 605 – Eric S. Knaebe, R.N. **(770-776)**
 - gg. 22 NUR 674 – Deborah L. Chitel, L.P.N. **(777-788)**
 - hh. 22 NUR 722 – Kristen J. Redmond, R.N. **(789-800)**
 - ii. 22 NUR 731 – Jennifer R. Basinger, R.N. **(801-813)**
 - jj. 22 NUR 790 – Tia A. Saarnio, L.P.N. **(814-820)**
 - kk. 22 NUR 638 – Jessica M. Gast, L.P.N. **(821-827)**
 - ll. 23 NUR 001 – Ian F. Conradt, R.N. **(828-839)**
 - mm. 23 NUR 019 – Brenda E. Dembinski, R.N. **(840-845)**
 - nn. 23 NUR 021 – Cheryl A. Vader, R.N., A.P.N.P. **(846-851)**
- 4) **Monitoring Matters (852-853)**
- a. **Monitor Wagner**
 - 1. Jennifer Amble, R.N. – Requesting Full Licensure **(854-869)**
 - 2. Stephanie Geiger, R.N. – Requesting a Reduction in Drug/Alcohol Screens and a Reduction in AA/NA Meeting Attendance **(870-901)**
 - 3. Abby Gifford (Harris), R.N. – Requesting to Terminate Work Report Requirement **(902-920)**
 - 4. Deborah Le Sieur, L.P.N. – Requesting Full Licensure **(921-932)**
 - 5. Kathryn Techmeier, R.N. – Requesting a Reduction in Drug/Alcohol Screens and to Eliminate AA/NA Meeting Requirement **(933-969)**
 - b. **Monitor Heller**
 - 1. Christine Brueckert, R.N. – Requesting a Reduction in Drug/Alcohol Screens **(970-1002)**
 - 2. Michelle Dettlaff, R.N. – Requesting Termination of Treatment **(1003-1029)**
 - 3. Caitlyn Ellison, R.N. – Requesting Full Licensure **(1030-1056)**
 - 4. Kristin Feltz, R.N. – Requesting Full Licensure **(1057-1085)**
 - 5. Bruce Freeman, R.N., A.P.N.P. – Requesting Full Licensure **(1086-1102)**
 - 6. Daphne Genrich, R.N. – Requesting Full Licensure **(1103-1142)**
 - 7. Elizabeth Krajewski, R.N. – Requesting Reduction in Drug/Alcohol Screens and Termination of Treatment Requirement **(1143-1179)**

8. Lacy Kranski, R.N. – Requesting Full Licensure **(1180-1198)**
9. Erin Kunz, R.N. – AODA Assessment Review **(1199-1213)**
10. Lisa Martell, R.N. – Requesting Full Licensure **(1214-1232)**
11. Jesse Stecker, R.N. – Requesting Full Licensure **(1233-1254)**

T. Deliberation on Proposed Final Decision and Orders

- 1) Nichole M. Dorn, L.P.N., Respondent – DHA Case Number SPS-22-0037/DLSC Case Numbers 20 NUR 337, 20 NUR 564 **(1255-1264)**
- 2) Amber L. Opdahl, R.N., Respondent – DHA Case Number SPS-22-0062/DLSC Case Number 21 NUR 175 **(1265-1277)**
- 3) Christina E. Riel, R.N., Respondent – DHA Case Number SPS-22-0063/DLSC Case Number 22 NUR 229 **(1278-1289)**
- 4) Noelle C. Stone, L.P.N., Respondent – DHA Case Number SPS-22-0053/DLSC Case Number 21 NUR 721 **(1290-1302)**
- 5) Nola M. Tyrrell, L.P.N., Respondent – DHA Case Number SPS-22-0059/DLSC Case Number 20 NUR 304 **(1303-1312)**

U. 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

V. 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

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

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

ADJOURNMENT

NEXT MEETING: MAY 11, 2023

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

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

**VIRTUAL/TELECONFERENCE
BOARD OF NURSING
MEETING MINUTES
FEBRUARY 9, 2023**

PRESENT: John Anderson, Janice Edelstein, Vera Guyton, Christian Saldivar Frias (*arrived at 8:02, excused at 10:04 a.m., returned 10:06 a.m.*), Linda Scott (*excused at 10:48 a.m.*), Robert Weinman, Emily Zentz

EXCUSED: Rosalyn McFarland

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

CALL TO ORDER

Robert Weinman, Chairperson, called the meeting to order at 8:02 a.m. A quorum was confirmed with six (6) members present.

Christian Saldivar Frias arrived at 8:02 a.m.

ADOPTION OF THE AGENDA

Amendments to the Agenda

- **CLOSED SESSION:** Remove items Q. 2) (c.) 21 NUR 719 – T.G. and (g.) 22 NUR 174 – C.M.J., G.T.

MOTION: Emily Zentz moved, seconded by Linda Scott, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES JANUARY 12, 2023

MOTION: Janice Edelstein moved, seconded by Vera Guyton, to approve the Minutes of January 12, 2023 as published. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

National Council of State Boards of Nursing (NCSBN) Next Generation NCLEX Exam Preview

MOTION: Robert Weinman moved, seconded by John Anderson, to acknowledge and thank Jason Schwartz, NCSBN, for his appearance and presentation to the Board. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Review of Draft Biennial Report under S. 227.29, Wis. Stats.

MOTION: Robert Weinman moved, seconded by Linda Scott, to authorize the Chairperson, or highest-ranking officer, or longest serving member of the board, in order of succession, to review and approve the report required under Wis. Stat. 227.29 for submission in March 2023 to the Joint Committee for Review of Administrative Rules. Motion carried unanimously.

Pending and Possible Rulemaking Projects

MOTION: John Anderson moved, seconded by Janice Edelstein, to request DSPS staff draft a Scope Statement revising N 6, relating to delegation to unlicensed personnel. Motion carried unanimously.

CLOSED SESSION

MOTION: John Anderson moved, seconded by Janice Edelstein, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigation with administrative warnings (ss. 19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Robert Weinman, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: John Anderson-yes; Janice Edelstein-yes; Vera Guyton-yes; Christian Saldivar Frias-yes; Linda Scott-yes; Robert Weinman-yes; and Emily Zentz-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:25 a.m.

CREDENTIALING MATTERS

Application Reviews

Philip Schanen – RN Renewal Applicant

MOTION: Robert Weinman moved, seconded by Vera Guyton, to approve the RN Renewal application of Philip Schanen, once all requirements are met. Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

Administrative Warnings

MOTION: Linda Scott moved, seconded by Emily Zentz, to issue an Administrative Warning in the following DLSC Cases:

1. 22 NUR 077 – R.J.L.
2. 22 NUR 305 – C.A.P.
3. 22 NUR 346 – M.A.F.
4. 22 NUR 347 – F.C.
5. 22 NUR 654 – S.J.M.
6. 22 NUR 749 – T.R.L.

Motion carried unanimously.

Christian Saldivar Frias was excused at 10:04 a.m.

Case Closings

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

1. 21 NUR 126 – C.M.B. – No Violation
2. 21 NUR 714 – L.R.V. – Prosecutorial Discretion (P2)
3. 21 NUR 822 – C.L.T. – Insufficient Evidence
4. 22 NUR 067 – J.K. – No Violation
5. 22 NUR 082 – J.J.R. – Prosecutorial Discretion (P1)
6. 22 NUR 254 – K.S.B., K.J.G. – Insufficient Evidence
7. 22 NUR 366 – F.M.H. – Prosecutorial Discretion (P1)
8. 22 NUR 370 – C.B. – Insufficient Evidence
9. 22 NUR 480 – Unknown – Insufficient Evidence
10. 22 NUR 523 – Unknown – No Violation
11. 22 NUR 607 – B.H.B. – Insufficient Evidence
12. 22 NUR 651 – M.E.D. – Prosecutorial Discretion (P2)
13. 22 NUR 664 – K.M.M. – Prosecutorial Discretion (P1)
14. 22 NUR 672 – M.M.D. – No Violation

Motion carried unanimously.

Christian Saldivar Frias returned at 10:06 a.m.

Proposed Stipulations and Final Decisions and Orders

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

1. 19 NUR 143, 20 NUR 528 – Jennifer B. Sinclair, L.P.N.
2. 20 NUR 196 – Lynne M. Edebohls, R.N., A.P.N.P.
3. 21 NUR 140 – Jaymie L. Malik, R.N.
4. 21 NUR 386 – Susan M. Piechowski, R.N.
5. 22 NUR 265 – Vanessa L. Elmhurst, L.P.N.

6. 22 NUR 299 – Christine Kufahl, R.N.
7. 22 NUR 508 – Emily E. Fischer, R.N., A.P.N.P.
8. 22 NUR 598 – Kristine M. Miller, R.N.
9. 22 NUR 705 – Chepchumba S. Embwaga, R.N.
10. 22 NUR 729 – Nicole C. Reder, R.N.

Motion carried unanimously.

Monitoring Matters

***Sara Elflein, R.N.
Requesting Full Licensure***

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

***Tia McCurley, R.N.
Requesting Monitoring Duties go to MN-HPSP Program
and Retroactive Approval (06-09-2021)***

MOTION: Emily Zentz moved, seconded by Vera Guyton, to grant the request of Tia McCurley, R.N., to terminate the suspension on her license and for monitoring duties to go to MN-HPSP Program and Retroactive Approval (6-9-2021). Motion carried unanimously.

***Margaret Cina, R.N.
Review of Fitness to Practice Evaluation***

MOTION: Linda Scott moved, seconded by Vera Guyton, to impose an additional limitations on the license of Margaret Cina, R.N., requiring her to engage with her mental health provider as specified in the FTP evaluation, she shall not work as a nurse in a clinical mental health setting for at least one (1) year, and shall engage in professional continuing education for six (6) hours of professional ethics and six (6) hours on professional boundaries. Motion carried unanimously.

***Leah Morgan, R.N.
Determination Regarding Off-Site Supervision***

MOTION: Linda Scott moved, seconded by Janice Edelstein, to grant the request of Leah Morgan, R.N., for off-site supervision. Motion carried unanimously.

***Cheryl Riebe, R.N.
Requesting Full Licensure***

MOTION: John Anderson moved, seconded by Linda Scott, to deny the request of Cheryl Riebe, R.N., for full licensure. **Reason for Denial:** Failure to demonstrate continuous and successful compliance under the terms of the Board Order (2/12/2015). Motion carried unanimously.

Linda Scott was excused at 10:48 a.m.

Stacey Johnson, R.N.
**Requesting a Reduction in Drug/Alcohol Testing, Elimination of AA/NA Meetings, and
Remove the Alcohol Restriction (Item C.8.)**

MOTION: Emily Zentz moved, seconded by Janice Edelstein, to deny the request of Stacey Johnson, R.N., for removal of the alcohol restrictions (item c.8), but to grant a reduction in drug/alcohol testing to twenty-eight (28) screens per year plus one (1) annual hair test and elimination of AA/NA meetings. **Reason for Denial:** Insufficient time under the Board Order (7/9/2020) to demonstrate adequate compliance. Motion carried unanimously.

Camille Robinson, R.N.
Requesting Full Licensure

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

Lakeesha Robinson, R.N., A.P.N.P.
Requesting Full Licensure

MOTION: Janice Edelstein moved, seconded by Vera Guyton, to grant the request of Lakeesha Robinson, R.N., A.P.N.P., for full licensure. Motion carried unanimously.

Catherine Sauvageau, R.N.
Requesting to Surrender License

MOTION: Vera Guyton moved, seconded by John Anderson, to grant the request of Catherine Sauvageau, R.N., for surrender of her nursing license. Motion carried unanimously.

Jennifer Taylor, R.N.
Requesting Full Licensure

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

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 11:12 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Robert Weinman moved, seconded by Emily Zentz, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

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

ADJOURNMENT


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

The meeting adjourned at 11:13 a.m.

DRAFT

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski, Executive Director		2) Date when request submitted: 04/06/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: 04/13/2023	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Special Appearance – Lieutenant Governor, Sara Rodriguez	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <Appearance Name(s)> <input type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: <Click Here to Add Case Advisor Name or N/A>	
10) Describe the issue and action that should be addressed: <Click Here to Add Description>			
11) Authorization			
		04/06/2023	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Joan Gage, Program Manager OEE		2) Date when request submitted: 3/6/2022 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: 3/9/2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? 2022 Nursing School Pass Rates	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <Appearance Name(s)> <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: <Click Here to Add Case Advisor Name or N/A>
10) Describe the issue and action that should be addressed: Review of 2022 NCLEX pass rates and next steps for schools whose annual pass rate failed to meeting the standard of 80%.			
11) Authorization			
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Test	Edu Program	N (Delivered)	N (Passed)	Pass Rate	
NCLEX-PN	WI - BLACKHAWK TECHNICAL COLLEGE - PN (US50100000)	19	19	100.00%	
	WI - BRYANT AND STRATTON COLLEGE - PN (US50110000)	60	48	80.00%	
	WI - CHIPPEWA VALLEY TECHNICAL COLLEGE - PN (US50109700)	83	79	95.18%	
	WI - FOX VALLEY TECHNICAL COLLEGE - PN (US50105700)	49	47	95.92%	
	WI - FOX VALLEY TECHNICAL COLLEGE - STAND ALONE (US50101200)	38	37	97.37%	
	WI - GATEWAY TECHNICAL COLLEGE - PN (US50105900)	56	50	89.29%	
	WI - HERZING COLLEGE - PN (US50102000)	4	4	100.00%	
	WI - HERZING UNIVERSITY - BROOKFIELD - PN (US50110400)	48	43	89.58%	
	WI - HERZING UNIVERSITY - KENOSHA - PN (US50110300)	84	67	79.76%	
	WI - LAC COURTE OREILLES OJIBWE COMMUNITY COLLEGE - PN (US50110100)	2	2	100.00%	
	WI - LAKESHORE TECHNICAL COLLEGE - PN (US50109800)	23	23	100.00%	
	WI - LAKESHORE TECHNICAL COLLEGE - PN STAND ALONE (US50110200)	8	8	100.00%	
	WI - MADISON AREA TECHNICAL COLLEGE - PN (US50105600)	58	56	96.55%	
	WI - MATC-MADISON PN STAND ALONE (US50101300)	4	4	100.00%	
	WI - MID STATE TECHNICAL COLLEGE - PN (US50101000)	35	35	100.00%	
	WI - MILWAUKEE AREA TECHNICAL COLLEGE - PN (US50105800)	39	35	89.74%	
	WI - MILWAUKEE AREA TECHNICAL COLLEGE - STAND ALONE (US50101400)	30	27	90.00%	
	WI - MORAIN PARK TECHNICAL COLLEGE - PN (US50105300)	49	45	91.84%	
	WI - NICOLET AREA TECHNICAL COLLEGE - PN (US50100100)	14	12	85.71%	
	WI - NORTH CENTRAL TECHNICAL COLLEGE - PN (US50100500)	43	42	97.67%	
	WI - NORTHEAST WISCONSIN TECHNICAL COLLEGE - PN (US50105200)	45	40	88.89%	
	WI - NORTHEAST WISCONSIN TECHNICAL COLLEGE - STAND ALONE (US50100600)	82	76	92.68%	
	WI - NORTHWOOD TECHNICAL COLLEGE - PN (US50100300)	48	46	95.83%	
	WI - SOUTHWEST WISCONSIN TECHNICAL COLLEGE - PN (US50109600)	35	34	97.14%	
	WI - WAUKESHA COUNTY TECHNICAL COLLEGE - PN (US50109900)	35	35	100.00%	
	WI - WESTERN TECHNICAL COLLEGE - PN (US50109500)	41	38	92.68%	
	NCLEX-RN	WI - ALVERNO COLLEGE - BS (US50509100)	240	209	87.08%
		WI - BELLIN COLLEGE - BS (US50502200)	103	98	95.15%
WI - BLACKHAWK TECHNICAL COLLEGE - ADN (US50407700)		56	54	96.43%	
WI - BRYANT & STRATTON COLLEGE - ADN (US50400200)		136	108	79.41%	
WI - BRYANT & STRATTON COLLEGE - BS (US50510500)		65	52	80.00%	
WI - CARDINAL STRITCH UNIVERSITY - BS (US50502700)		33	29	87.88%	
WI - CARDINAL STRITCH UNIVERSITY - RUTH S. COLEMAN COLLEGE OF NURSING - ADN (US50408300)		2	1	50.00%	
WI - CARROLL UNIVERSITY - BS (US50500000)		104	99	95.19%	
WI - CARTHAGE COLLEGE OF NURSING (US50510400)		63	53	84.13%	
WI - CHIPPEWA VALLEY TECHNICAL COLLEGE - ADN (US50408100)		187	172	91.98%	
WI - COLUMBIA COLLEGE - MT MARY COLLEGE - BS (US50502000)		3	1	33.33%	
WI - CONCORDIA UNIVERSITY WISCONSIN - BS (US50509400)		71	62	87.32%	
WI - EDGEWOOD COLLEGE - BS (US50507500)		133	128	96.24%	
WI - FOX VALLEY TECHNICAL COLLEGE - ADN (US50407000)		83	83	100.00%	
WI - GATEWAY TECHNICAL COLLEGE - ADN (US50407800)		175	162	92.57%	
WI - GEORGE WILLIAMS COLLEGE OF AURORA UNIVERSITY (US50510600)		21	19	90.48%	
WI - HERZING COLLEGE - ADN (US50405500)		5	1	20.00%	
WI - HERZING UNIVERSITY - BROOKFIELD/KENOSHA - BS (US50500200)		82	72	87.80%	
WI - HERZING UNIVERSITY - KENOSHA - BS (US50509900)		216	176	81.48%	
WI - HERZING UNIVERSITY - MADISON - BS (US50510300)		54	52	96.30%	
WI - LAC COURTE OREILLES OJIBWE COMMUNITY COLLEGE - ADN (US50400300)		28	5	17.86%	
WI - LAKESHORE TECHNICAL COLLEGE - ADN (US50407600)		34	32	94.12%	
WI - MADISON AREA TECHNICAL COLLEGE - ADN (US50407900)		171	162	94.74%	
WI - MARANATHA BAPTIST UNIVERSITY - BS (US50500100)		14	14	100.00%	
WI - MARIAN COLLEGE FOND DU LAC - BS (US50503900)		30	29	96.67%	
WI - MARQUETTE UNIVERSITY - BS (US50509000)		186	177	95.16%	
WI - MARQUETTE UNIVERSITY - MSN (US50509700)		238	223	93.70%	
WI - MID STATE TECHNICAL COLLEGE - ADN (US50400000)		44	43	97.73%	
WI - MILWAUKEE AREA TECHNICAL COLLEGE - ADN (US50408000)		110	107	97.27%	
WI - MILWAUKEE SCHOOL OF ENGINEERING - BS (US50504400)		64	59	92.19%	
WI - MORAIN PARK TECHNICAL COLLEGE - ADN (US50408200)		109	101	92.66%	
WI - NICOLET AREA TECHNICAL COLLEGE - ADN (US50400100)		19	17	89.47%	
WI - NORTH CENTRAL TECHNICAL COLLEGE - ADN (US50407500)		73	69	94.52%	
WI - NORTHEAST WISCONSIN TECHNICAL COLLEGE - ADN (US50407300)		169	160	94.67%	
WI - NORTHWOOD TECHNICAL COLLEGE - ADN (US50407200)		88	79	89.77%	
WI - RASMUSSEN COLLEGE - GREEN BAY - ADN (US50408500)		44	34	77.27%	
WI - RASMUSSEN COLLEGE - GREEN BAY - BS (US50510000)		11	11	100.00%	
WI - RASMUSSEN COLLEGE - WAUSAU - ADN (US50400400)		50	40	80.00%	
WI - RASMUSSEN COLLEGE - WAUSAU - BS (US50510100)		10	9	90.00%	
WI - SOUTHWEST WISCONSIN TECHNICAL COLLEGE - ADN (US50407100)		37	36	97.30%	
WI - UNIVERSITY OF WISCONSIN - OSHKOSH - BS (US50508100)		273	263	96.34%	
WI - UNIVERSITY OF WISCONSIN - MILWAUKEE - BS (US50508300)		272	235	86.40%	
WI - UNIVERSITY OF WISCONSIN - EAU CLAIRE - BS (US50508400)		119	114	95.80%	
WI - UNIVERSITY OF WISCONSIN - MADISON - BS (US50509500)		230	219	95.22%	
WI - VITERBO COLLEGE - BS (US50508200)		169	156	92.31%	
WI - WAUKESHA COUNTY TECHNICAL COLLEGE - ADN (US50407400)		73	71	97.26%	
WI - WESTERN TECHNICAL COLLEGE - ADN (US50408400)		68	67	98.53%	
WI - WISCONSIN LUTHERAN COLLEGE - BS (US50500500)		17	17	100.00%	



PUBLIC AGENDA REQUEST FORM

Instructions:

1. Fill out this form, and then save to your device.
2. Return to the “[Suggest an Agenda Item](#)” page and select the appropriate Board or Council from the Board/Council list.
3. Attach your completed “Public Agenda Request” form and send.

First Name: Gina

Last Name: Dennik-Champion

Association/Organization: Wisconsin Nurses Association

Subject: Presentation Request

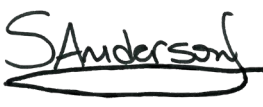
Issue to Address:

WNA would like to share with the Board of Nursing an update on the status of the reintroduced Advanced Practice Registered Nurse (APRN) Modernization Act legislative proposal and [2023 Senate Bill 143](#) Relating to: the use of certain words and terms that refer to a physician.

I thank you in advance for consideration of my request.

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Sofia Anderson, Administrative Rules Coordinator		2) Date when request submitted: 4/3/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: April 13, 2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rules Matters – Discussion and Consideration 1. Scope Statement: N 6, relating to delegated acts. 2. Preliminary Rule Draft: N2, relating to modification of the Board review process to take the NCLEX. 3. Pending and Possible rulemaking projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Attachments: 1. Scope Statement: N 6, relating to delegated acts. 2. Preliminary Rule Draft: N 2 relating to modification of the Board review process to take the NCLEX. 3. Chapter 2 redlined 4. Nursing rule projects chart.			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">  <hr/> Signature of person making this request </div> <div style="text-align: center;"> 4/3/2023 <hr/> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 60%;"> <hr/> Supervisor (if required) </div> <div style="width: 20%; text-align: center;"> <hr/> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 70%;"> <hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </div> <div style="width: 15%; text-align: center;"> <hr/> 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.			

STATEMENT OF SCOPE

BOARD OF NURSING

Rule No.: N 6

Relating to: Delegated acts

Rule Type: Permanent

2. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to review and possibly update ch. N 6 in order to clarify and further define the delegated acts. The Board may also perform a comprehensive review of this chapter in order to ensure that the language is up to date with current standards of practice and compliant with current Statutes.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Section N 2 contains the standards of practice for registered nurses and licensed practical nurses, which includes delegated acts. The Board of Nursing will review these delegated acts to determine whether they need to be modified.

The alternative would be to not revise the code, which would create confusion and a lack of clarity for stakeholders.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . .”

Section 227.24 (1) (a), Stats., provides “[a]n agency may, except as provided in s. 227.136 (1), promulgate a rule as an emergency rule without complying with the notice, hearing, and publication requirements under this chapter if preservation of the public peace, health, safety, or welfare necessitates putting the rule into effect prior to the time it would take effect if the agency complied with the procedures.”

Section 441.01 (3), Stats., provides “[t]he board 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.”

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

80 hours

6. List with description of all entities that may be affected by the proposed rule:

Rev. 3/6/2012

Registered Nurses, Licensed Practical Nurses, entities that hire or may hire non-licensed caregivers, and individuals accessing health care services.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

Contact Person: Sofia Anderson, Administrative Rules Coordinator, DSAdminRules@wisconsin.gov, (608) 261-4463.

Approved for publication:

Approved for implementation:

Authorized Signature

Authorized Signature

Date Approved

Date Approved

STATE OF WISCONSIN
BOARD OF NURSING

IN THE MATTER OF RULEMAKING : 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 amend N 2.105 (5) (b), N 2.11 (3) (c), and N 2.12 (3) (c); to create N 2.105 (5) (am), (d), (e), N 2.11 (3) (bm), (e), (f), and N 2.12 (3) (bm), (e), (f); and to repeal and recreate N 2.105 (5) (a), N 2.11 (3) (b), and N 2.12 (3) (b), relating to modification of Board review process to take the NCLEX.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Subchapter I of ch. 441, Stats.

Statutory authority:

Sections 15.01 (7), 15.08 (5) (b), 227.24 (1) (a), and 441.01 (3), Stats.

Explanation of agency authority:

Section 15.01 (7), Stats., defines examining boards and states that “[e]xamining board” includes the board of nursing.”

Section 15.08 (5) (b), Stats., provides an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . .”

Section 227.24 (1) (a), Stats., provides “[a]n agency may, except as provided in s. 227.136 (1), promulgate a rule as an emergency rule without complying with the notice, hearing, and publication requirements under this chapter if preservation of the public peace, health, safety, or welfare necessitates putting the rule into effect prior to the time it would take effect if the agency complied with the procedures.”

Section 441.01 (3), Stats., provides “[t]he board 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:

Subchapter I of ch. 441, Stats.

Plain language analysis:

Chapter N 2 contains the application procedures for single state and multistate licenses, which includes the provision that the Board of Nursing will make the applicants eligible to take the NCLEX upon receiving proof of graduation or completion of the educational requirements of a nursing program. The Board of Nursing has reviewed this requirement in an effort to make nurse applications go through the licensure process much faster than in the past and has decided to make applicants eligible to take the NCLEX once they submit proof of anticipated graduation or completion of the educational program. The modification of the process will require applicants to provide the required information when they start applying for licensure. Applicants will be responsible for providing proof of completion before taking the examination and will have to inform the Board of any changes that may affect their ability to take the NCLEX. However, the Board will still require formal proof of graduation or certificate of approval as a condition of issuing the license.

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

None.

Comparison with rules in adjacent states:

Illinois:

Illinois Compiled Statutes mentions that nursing applicants need to pass a department approved exam. [225 ILC 65/60-10]. The Illinois Administrative Code states that each applicant shall file an application if the applicant has taken and passed the NCLEX. The application process is initiated by applying with a testing service designated by the Division. [Ill Admin Code Section 1300.300]

Even though, neither Compiled Statutes nor the Administrative Code, explicitly state the requirements of eligibility to take the exam, the process set by the Illinois Department of Financial and Professional Regulation consists of applicants registering through Continental Testing and Pearson VUE. First-time applicants are required to provide certification of education and proof of fingerprinting when applying with Continental Testing, which will approve the applicants upon reception of the required documentation.

Iowa:

The Iowa Board of Nursing establishes that applicants need an authorization to test from the board in order to take the NCLEX. The board will issue an authorization to test upon receipt of:

1. Application with required fee;
2. Proof of fingerprinting;
3. Official transcripts sent directly from the nursing program and;
4. Proof of NCLEX registration, including payment for the exam.

[655 IAC s. 3.4 (4)]

Michigan:

The Michigan Compiled Statutes mentions that nursing applicants need to pass a required examination as approved by the board [333 MCL Section 17213]. Michigan Administrative Code establishes that applicants must show that they meet the eligibility requirements to take the NCLEX, which are:

1. Submit a completed application with the required fee and;
2. Provide proof of completion of an appropriate education program that meets the requirements set forth by the board.

[MI Admin. Rules R 338.10203 and R 338.10204]

Minnesota:

The Minnesota Statutes requires nursing applicants to pass a national examination approved by the board [MN Stats 148.211]. The Minnesota Administrative Code establishes that the board will make applicants eligible to take the NCLEX upon receiving the following:

1. Application with required fee and;
2. Confirmation of program completion.

[MN Admin. Code 6305.0400 Subp. 12]

Summary of factual data and analytical methodologies:

In consultation with staff from the Department of Safety and Professional Services, the Board developed a proposed rule that revises the eligibility process for applicants to take the NCLEX.

Fiscal estimate and economic impact analysis:

The fiscal estimate and economic impact analysis are attached.

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

Agency contact person:

Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing to be held on a date TBD to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. N 2.105 (5) (a) is repealed and recreated to read:

N 2.105 (5) (a) The applicant is eligible for admission to the NCLEX as of the date of the applicant's anticipated graduation or upon the board receiving a certificate of approval from the school of nursing that allows the applicant to take the NCLEX before graduation. As part of the application process, the applicant shall report the name of the nursing school they are attending along with the anticipated date of graduation or, if applicant is seeking to take the NCLEX before graduation, the school of nursing shall provide a certificate of approval. The applicant shall notify the board if their anticipated date of graduation changes.

SECTION 2. N 2.105 (5) (am) is created to read:

N 2.105 (5) (am) The applicant shall not take or attempt to take the NCLEX before graduation or prior to a school of nursing providing a certificate of approval to the board.

SECTION 3. N 2.105 (5) (b) is amended to read:

N 2.105 (5) (b) The applicant shall contact the examination provider to schedule the NCLEX date and time within one year from the time ~~the notice of eligibility is received by the applicant~~ the applicant was eligible to take the examination.

SECTION 4. N 2.105 (5) (d) is created to read:

N 2.105 (5) (d) Failure to comply with the terms of this section may result in a denial of application for licensure.

SECTION 5. N 2.105 (5) (e) is created to read:

N 2.105 (5) (e) If a license is issued based on fraud, deceit, or material omission of fact, the board shall take any action it deems necessary pursuant to s. 441.07 (1g), Stats.

SECTION 6. N 2.11 (3) (b) is repealed and recreated to read:

N 2.11 (3) (b) The applicant is eligible for admission to the NCLEX as of the date of the applicant's anticipated graduation or upon the board receiving a certificate of approval from the school of nursing that allows the applicant to take the NCLEX before graduation. As part of the application process, the applicant shall report the name of the

nursing school they are attending along with the anticipated date of graduation or, if applicant is seeking to take the NCLEX before graduation, the school of nursing shall provide a certificate of approval. The applicant shall notify the board if their anticipated date of graduation changes.

SECTION 7. N 2.11 (3) (bm) is created to read:

N 2.11 (3) (bm) The applicant shall not take or attempt to take the NCLEX before graduation or prior to a school of nursing providing a certificate of approval to the board.

SECTION 8. N 2.11 (3) (c) is amended to read:

N 2.11 (3) (c) The applicant shall contact the examination provider to schedule the NCLEX date and time within one year from the time ~~the notice of eligibility is received by the applicant~~ the applicant was eligible to take the examination.

SECTION 9. N 2.11 (3) (e) is created to read:

N 2.11 (3) (e) Failure to comply with the terms of this section may result in a denial of application for licensure.

SECTION 10. N 2.11 (3) (f) is created to read:

N 2.11 (3) (f) If a license is issued based on fraud, deceit, or material omission of fact, the board shall take any action it deems necessary pursuant to s. 441.07 (1g), Stats.

SECTION 11. N 2.12 (3) (b) is repealed and recreated to read:

N 2.12 (3) (b) The applicant is eligible for admission to the NCLEX as of the date of the applicant's anticipated graduation or upon the board receiving a certificate of approval from the school of nursing that allows the applicant to take the NCLEX before graduation. As part of the application process, the applicant shall report the name of the nursing school they are attending along with the anticipated date of graduation or, if applicant is seeking to take the NCLEX before graduation, the school of nursing shall provide a certificate of approval. The applicant shall notify the board if their anticipated date of graduation changes.

SECTION 12. N 2.12 (3) (bm) is created to read:

N 2.12 (3) (bm) The applicant shall not take or attempt to take the NCLEX before graduation or prior to a school of nursing providing a certificate of approval to the board.

SECTION 13. N 2.12 (3) (c) is amended to read:

N 2.12 (3) (c) The applicant shall contact the examination provider to schedule the NCLEX date and time within one year from the time ~~the notice of eligibility is received by the applicant~~ the applicant was eligible to take the examination.

SECTION 14. N 2.12 (3) (e) is created to read:

N 2.12 (3) (e) Failure to comply with the terms of this section may result in a denial of application or licensure.

SECTION 15. N 2.12 (3) (f) is created to read:

N 2.12 (3) (f) If a license is issued based on fraud, deceit, or material omission of fact, the board shall take any action it deems necessary pursuant to s. 441.07 (1g), Stats.

SECTION 16. 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)

Chapter N 2

N 2.105 Application procedure for a multistate license.

- (1)** Each applicant for a multistate license shall complete and submit an application by the electronic application process or on forms provided by the department, declare Wisconsin as the primary state of residence, and pay the fee.
- (2)** The educational administrator or designee for a board-approved prelicensure education program shall submit one of the following:
 - (a)** Via the electronic application process a verification that the applicant has graduated.
 - (b)** A certification of graduation.
 - (c)** An official transcript indicating graduation.
- (3)** If the applicant graduated from a foreign prelicensure education program, the applicant shall submit a certificate or report demonstrating verification from an independent credentials review agency that the prelicensure education program is comparable to a board-approved prelicensure education program.
- (4)** If the applicant graduated from a foreign prelicensure program that was not taught in English or if English is not the applicant's native language, the applicant shall submit proof of successfully passing an English proficiency examination that includes the components of reading, speaking, writing, and listening.

Repeal and recreate (5) (a)

~~(5) (a) The board shall notify the applicant of eligibility for admission to the NCLEX once it receives verification of one of the following:~~

~~1. Certificate of approval.~~

~~2. Graduation.~~

N 2.105 (5) (a) An applicant is eligible for admission to the NCLEX as of the date of the applicant's anticipated graduation or completion of the requirements for a certificate of approval. Applicants shall report their anticipated date of graduation or completion of the requirements for a certificate of approval as part of the application process. Applicants shall notify the board prior to the original anticipated date of eligibility if the date of eligibility changes and shall not take or attempt to take the NCLEX before graduation or obtaining a certificate of approval from a school of nursing.

Create (5) (am):

N 2.105 (5) (am) Applicants shall submit proof of graduation or a certificate of approval to the board prior to taking the NCLEX.

Amend (5) (b)

N 2.105 (5) (b) The applicant shall contact the examination provider to schedule the NCLEX date and time within one year from the time the notice of eligibility is received by the applicant the applicant was eligible to take the examination.

(c) The board shall send notification of results to applicants who fail to earn a passing score on the NCLEX. An applicant may apply to the board for authorization to schedule reexamination. The reexamination may not occur earlier than 45 days after the most recent sitting for the NCLEX.

Create (5) (d) and (e)

N 2.105 (5) (d) Failure to comply with the terms of this section may result in a denial of application or licensure.

N 2.105 (5) (e) If a license is issued based on fraud, deceit, or material omission, the board shall take any action it deems necessary pursuant to s. 441.07 (1g), Stats.

(6) The applicant shall submit, through an approved process, fingerprints or other biometric-based information for the purpose of obtaining an applicant's criminal history information from the federal bureau of investigation and the Wisconsin department of justice.

(7) If the applicant has been convicted or found guilty, or has entered into an agreed disposition, of a misdemeanor offense, the applicant shall provide the board all related information necessary for the board to determine whether the circumstances substantially relate to the practice of nursing.

N 2.11 Application procedure for a single state license for applicants from board-approved schools.

(1) Each applicant from a board-approved school shall complete and submit an application by the electronic application process or on forms provided by the department and shall pay the fee.

(2) The educational administrator or designee for a school of professional nursing or practical nursing shall submit any of the following:

(a) Via the electronic application process a verification that the applicant has graduated or received a certificate of completion.

(b) A certification of graduation or completion to the department.

(3)

(a) The examination accepted by the board is the NCLEX.

Repeal and recreate (3) (b)

~~**(3) (b)** The board shall notify the applicant of eligibility for admission to the NCLEX once it receives verification of one of the following:~~

~~**1-** Certificate of approval.~~

~~**2-** Graduation.~~

N 2.11 (3) (b) An applicant is eligible for admission to the NCLEX as of the date of the applicant's anticipated graduation or completion of the requirements for a certificate of approval. Applicants shall report their anticipated date of graduation or completion of the requirements for a certificate of approval as part of the application process. Applicants shall notify the board prior to the original anticipated date of eligibility if the date of eligibility changes and shall not take or attempt to take the NCLEX before graduation or obtaining a certificate of approval from a school of nursing.

Create (3) (bm):

N 2.11 (3) (bm) Applicants shall submit proof of graduation or a certificate of approval to the board prior to taking the NCLEX.

Amend (3) (c)

N 2.11 (3) (c) The applicant shall contact the examination provider to schedule the NCLEX date and time within one year from the time the notice of eligibility is received by the applicant the applicant was eligible to take the examination.

(d) The board shall send notification of results to applicants who fail to earn a passing score on the NCLEX. An applicant may apply to the board for authorization to schedule reexamination. The reexamination may not occur earlier than 45 days after the most recent sitting for the NCLEX.

Create (3) (e) and (f)

N 2.11 (3) (e) Failure to comply with the terms of this section may result in a denial of application or licensure.

N 2.11 (3) (f) If a license is issued based on fraud, deceit, or material omission, the board shall take any action it deems necessary pursuant to s. 441.07 (1g), Stats.

(4) An applicant who has a pending criminal charge or has been convicted of any crime or ordinance violation shall provide the board all related information necessary for the board to determine whether the circumstances of the arrest or conviction or other offense substantially relate to the practice of nursing.

(5) An applicant who has committed any act, which would be subject to discipline under ch. [N 7](#), shall provide the board with all related information regarding the act necessary for the board to make a determination on the application for licensure.

N 2.12 Application procedure for a single state license for applicants from comparable schools.

(1) Each applicant from a comparable school shall complete and submit an application on forms provided by the department.

(2) 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 not located in the United States or a U.S. territory, the applicant shall submit any of the following:

(a) For a professional nursing applicant, one of the following:

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.

(b) For a practical nursing applicant, a credential evaluation service academic report and demonstration of passing a board-accepted language proficiency exam.

(3)

(a) The examination accepted by the board is the NCLEX.

Repeal and recreate (3) (b)

~~(3) (b) The board shall notify the applicant of eligibility for admission to the NCLEX once it receives verification of one of the following:~~

- ~~1. Certificate of approval.~~
- ~~2. Graduation.~~

~~N 2.12 (3) (b) An applicant is eligible for admission to the NCLEX as of the date of the applicant's anticipated graduation or completion of the requirements for a certificate of approval. Applicants shall report their anticipated date of graduation or completion of the requirements for a certificate of approval as part of the application process. Applicants shall notify the board prior to the original anticipated date of eligibility if the date of eligibility changes and shall not take or attempt to take the NCLEX before graduation or obtaining a certificate of approval from a school of nursing.~~

Create (3) (bm):

~~N 2.12 (3) (bm) Applicants shall submit proof of graduation or a certificate of approval to the board prior to taking the NCLEX.~~

Amend (3) (c)

~~N 2.12 (3) (c) The applicant shall contact the examination provider to schedule the NCLEX date and time within one year from the time the notice of eligibility is received by the applicant the applicant was eligible to take the examination.~~

~~(d) The board shall send notification of results to applicants who fail to earn a passing score on the NCLEX. An applicant may apply to the board for authorization to schedule reexamination. The reexamination may not occur earlier than 45 days after the most recent sitting for the NCLEX.~~

Create (3) (e) and (f)

N 2.12 (3) (e) Failure to comply with the terms of this section may result in a denial of application or licensure.

N 2.12 (3) (f) If a license is issued based on fraud, deceit, or material omission, the board shall take any action it deems necessary pursuant to s. 441.07 (1g), Stats.

(4) An applicant who has a pending criminal charge or has been convicted of any crime or ordinance violation shall provide the board all related information necessary for the board to determine whether the circumstances of the arrest or conviction or other offense substantially relate to the practice of nursing.

(5) An applicant who has committed any act, which would be subject to discipline under ch. [N 7](#), shall provide the board with all related information regarding the act necessary for the board to make a determination on the application for licensure.

**Board of Nursing
Rule Projects (Updated 4/3/2023)**

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

Emergency Rules

EMR Number	Scope #	Scope Expiration	Date Scope Requested by Board	Rules Affected	Relating Clause	Synopsis	Stage of Rule Process	Next step
EmR 2215	084-22	4/24/2025	8/11/2022	N 2	Modification of Board review process to take the NCLEX	The Board would like to revise the requirement that the Board needs to make applicants for licensure eligible to take the NCLEX in order to speed up the application process.	First extension due by March 29, 2023. Request letter submitted to Joint Committee on March 14, 2023.	Wait for Joint Committee to decide.

**Board of Nursing
Permanent Rules**

Clearinghouse Rule Number	Scope #	Scope Expiration	Date Scope Requested by Board	Rules Affected	Relating Clause	Synopsis	Stage of Rule Process	Next step
	084-22	4/24/2025	8/11/2022	N 2	Modification of Board review process to take the NCLEX	The Board would like to revise the requirement that the Board needs to make applicants for licensure eligible to take the NCLEX in order to speed up the application process.	Drafting Rule	Economic Impact Analysis Comment Period and Submission to Clearinghouse

Scope Statements


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

Board of Nursing

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski		2) Date when request submitted: 03/20/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: 04/13/2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Opioid Abuse Goal Setting and Report Pursuant to Wis. Stat. 440.35 (2m) (c)	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <Appearance Name(s)> <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: <Click Here to Add Case Advisor Name or N/A>	
10) Describe the issue and action that should be addressed: <Click Here to Add Description>			
11) Authorization			
		03/20/2023	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Katlin Schwartz, Bureau Assistant		2) Date when request submitted: 2/24/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: 3/9/2023	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Newsletter Matters	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: <u>Newsletter Future Planning:</u> Based on the typical schedule of the Board, the next newsletter will be due out in January 2023 with a deadline for article submission on December 23, 2022. The May 2023 Newsletter deadline is April 28, 2023. A newsletter deadline reminder will be sent to article authors on April 21, 2023. The Board should discuss topics for the next newsletter and consider the topic list as outlined below. <u>Articles/Ideas:</u> <ul style="list-style-type: none"> • Chair's Corner – Robert Weinman <ul style="list-style-type: none"> ○ Wishing Nurses a Happy New Year ○ Administrative Code N7 ○ 48-hour reporting reminder • Rotating Articles on Professional Nursing Roles – Linda Scott (January 2023) & Emily Zentz (May 2023) • Reminder to Update Contact Information – DSPS Staff • Rotating Articles on Nurse Administrative Code • Application Processing Tips – DSPS Staff <i>(Subject to Executive Director approval)</i> • Possibilities in the Nursing Field/Reasons to Become a Nurse – Robert Weinman • Clinician Well-being, Burnout, and Health and Wellness – Linda Scott • New Generation of NCLEX New Test plan (NCSBN Website) – Linda Scott • Recruitment for the Nursing Field – WNA <i>(Subject to Executive Director approval) (May Newsletter)</i> • New Member Introduction Articles/Photos <i>(As needed for new appointments, subject to new member appointments and oath receipts)</i> 			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 60%;"><i>Katlin Schwartz</i></div> <div style="width: 35%; text-align: right;"><i>2/24/2023</i></div> </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 (Only required for post agenda deadline items) Date </div> <hr/> <div style="display: flex; justify-content: space-between;"> Executive Director signature (Indicates approval for post agenda deadline items) Date </div>			
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			