



**VIRTUAL/TELECONFERENCE
BOARD OF NURSING
Virtual, 4822 Madison Yards Way, Madison
Contact: Christine Poleski (608) 266-2112
May 13, 2021**

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

AGENDA

8:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-6)**
- B. Approval of Minutes of April 8, 2021 (7-11)**
- C. Reminders: Conflicts of Interests, Scheduling Concerns**
- D. Introductions, Announcements and Recognition**
- E. Administrative Matters**
 - 1) Department, Staff and Board Updates
 - 2) Board Members – Term Expiration Dates
 - a. Dolatowski, Rosemary P. – 7/1/2022
 - b. Edelstein, Janice A. – 7/1/2024
 - c. Eklof, Jennifer L. – 7/1/2021
 - d. Kallio, Peter J. – 7/1/2022
 - e. Pisney, Lisa D. – 7/1/2023
 - f. Saldivar Frias, Christian – 7/1/2023
 - g. Skarlupka, Luann – 7/1/2021
 - h. Weinman, Robert W. – 7/1/2023
 - i. Zentz, Emily – 7/1/2023
- F. 8:00 A.M. APPEARANCE – John Sauer, Executive Director, Leading Age Wisconsin: 2020 Long-Term Care (LTC) Workforce Crisis Report – Discussion and Consideration**
- G. Presentations of Petitions for Summary Suspension**
 - 1) **8:10 A.M. APPEARANCE – Jaclyn A. Dionysius, R.N. and Carley Peich-Kiesling, Prosecuting Attorney: 21 NUR 006 – Jaclyn A. Dionysius, R.N. (12-52)**
- H. Education and Examination Matters – Discussion and Consideration**
 - 1) Herzing University – Request for Authorization to Plan a School of Nursing (53-62)

- I. Division of Legal Services and Compliance (DLSC) Matters – Discussion and Consideration**
 - 1) Review of the Board of Nursing DLSC Annual Report – January 1, 2020-December 31, 2020 **(63-71)**

- J. Administrative Rule Matters – Discussion and Consideration (72)**
 - 1) EmR 2107 – N1-N8, Emergency Rule Extension Request **(73-78)**
 - 2) Pending and Possible Rulemaking Projects
 - a. Status Update of Ongoing Rule Projects **(79-80)**

- K. Legislative and Policy Matters – Discussion and Consideration**
 - 1) Senate Bill 169/Assembly Bill 166 – Temporary Practice by Registered Nurses at Summer Camps **(81-82)**
 - 2) Other Legislation

- L. Credentialing Matters – Discussion and Consideration**
 - 1) Nurse Licensure Renewal Process and Nurse Workforce Survey – Action as Deemed Necessary
 - 2) Credentialing Statistics and License Counts **(83-87)**

- M. COVID-19 – Discussion and Consideration**

- N. Newsletter Planning – Discussion and Consideration (88)**

- O. Speaking Engagements, Travel, Public Relation Requests, and Reports**
 - 1) Consider Attendance: National Council of State Boards of Nursing (NCSBN) Virtual 2021 Annual Meeting on August 18-19, 2021

- P. Nurse Licensure Compact (NLC) Update – Discussion and Consideration**

- Q. Board of Nursing Liaison Reports – Discussion and Consideration**

- R. 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) 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, Public Relation Requests, and Reports

S. 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.).

T. Credentialing Matters

- 1) **Application Reviews**
 - a. Jennifer Korich, R.N. Renewal Applicant **(89-135)**

U. Deliberation on Division of Legal Services and Compliance Matters

- 1) **Administrative Warnings**
 - a. 18 NUR 648 – T.J.B. **(136-137)**
 - b. 19 NUR 451 – C.T.C. **(138-139)**
 - c. 20 NUR 072 – J.K. **(140-141)**
 - d. 20 NUR 287 – B.J.S. **(142-143)**
 - e. 20 NUR 321 – M.K.G. **(144-145)**
 - f. 20 NUR 334 – B.L.W.D. **(146-147)**
 - g. 20 NUR 334 – R.K.B. **(148-149)**
 - h. 20 NUR 396 – P.L.B. **(150-151)**
 - i. 21 NUR 060 – A.M.L. **(152-153)**
 - j. 21 NUR 084 – A.D.N. **(154-155)**
 - k. 21 NUR 099 – S.M.K. **(156-157)**
 - l. 21 NUR 188 – E.A.M. **(158-159)**
- 2) **Case Closings**
 - a. 18 NUR 752 – J.A.J. **(160-164)**
 - b. 19 NUR 021 – T.L. **(165-173)**
 - c. 19 NUR 217 – B.P. **(174-180)**
 - d. 19 NUR 273 – B.A.I. **(181-187)**
 - e. 19 NUR 376 – B.O.C., V.A.I. **(188-194)**
 - f. 19 NUR 440 – K.A.T. **(195-199)**
 - g. 19 NUR 459 – J.A.B. **(200-203)**
 - h. 19 NUR 571 – C.Y. **(204-208)**
 - i. 19 NUR 682 – C.M.B. **(209-212)**
 - j. 20 NUR 039 – L.J.B. **(213-219)**
 - k. 20 NUR 084 – D.E.D. **(220-229)**

- l. 20 NUR 201 – C.T.L. **(230-235)**
 - m. 20 NUR 349 – K.T.K. **(236-239)**
 - n. 20 NUR 397 – S.E.E. **(240-249)**
 - o. 20 NUR 547 – S.L.G. **(250-253)**
 - p. 21 NUR 001 – V.L.F. **(254-258)**
 - q. 21 NUR 049 – R.M.H. **(259-263)**
 - r. 21 NUR 239 – T.R.V.S. **(264-266)**
- 3) **Proposed Stipulations, Final Decisions, and Orders**
- a. 17 NUR 484 – Karen M. Gray, R.N. **(267-274)**
 - b. 17 NUR 484 – Amanda L. Ocacio, L.P.N. **(275-280)**
 - c. 17 NUR 561, 18 NUR 665, 19 NUR 111 – Timothy J. Harrington, R.N. **(281-291)**
 - d. 19 NUR 005 – James E. Hansen, R.N. **(292-300)**
 - e. 19 NUR 679, 20 NUR 033, 20 NUR 283 – David W. Kososki, R.N. **(301-307)**
 - f. 19 NUR 723 – Jaclyn M. Hebein, L.P.N. **(308-315)**
 - g. 20 NUR 018 – Joseph E. Braun, R.N. **(316-323)**
 - h. 20 NUR 330 – Kadee M. Russell, R.N. **(324-330)**
 - i. 20 NUR 510 – Jamie L. Carver, R.N. **(331-342)**
 - j. 21 NUR 068 – Jayne K. McPhail, R.N. **(343-353)**
- 4) **Deliberation on Stipulations and Interim Orders**
- a. 20 NUR 602 – Erin M. Kunz, R.N. **(354-359)**
 - b. 21 NUR 081 – Melanie R. Randolph, R.N. **(360-364)**
- 5) **Deliberation on Petitions for Summary Suspension and Designation of Hearing Official**
- a. 21 NUR 006 – Jaclyn A. Dionysius, R.N. **(365-369)**
- 6) **Monitoring Matters (370-371)**
- a. **Monitor Benisch**
 - 1. Patricia Adler, R.N. – Review of AODA Assessment **(372-384)**
 - 2. Cynthia Borchardt, R.N. – Requesting Full Licensure **(385-402)**
 - 3. Peter Meekma, L.P.N. – Requesting Full Licensure **(403-439)**
 - 4. Jennifer Rosenbaum, R.N. – Requesting Full Licensure or Reduction in Screens **(440-471)**
 - 5. Kathleen Sayles, R.N. – Requesting Full Licensure **(472-515)**
 - 6. Sara Schmidt, R.N. – Requesting Reduction in the Number of Check-ins and or Drug and Alcohol Screens **(516-532)**
 - 7. Sara Wise, R.N. – Review of AODA Assessment and Fitness to Practice Evaluation **(533-553)**
 - b. **Monitor Schramm**
 - 1. Charles Bower, R.N. – Requesting Reduction in Drug Screens and AA/NA Attendance **(554-585)**
 - 2. Jennifer Klug, R.N. – Requesting Full Licensure **(586-600)**
 - 3. Joan Swope, R.N. – Requesting Full Licensure **(601-632)**

V. **Deliberation on Proposed Final Decision and Orders**

- 1) Shantell L. Grenier, L.P.N. (DHA Case Number SPS-20-0025/DLSC Case Number 18 NUR 653) **(633-647)**

W. 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

X. 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

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

Z. Open Session Items Noticed Above Not Completed in the Initial Open Session

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

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

ADJOURNMENT

NEXT MEETING: JUNE 10, 2021

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. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
BOARD OF NURSING
MEETING MINUTES
APRIL 8, 2021**

PRESENT: Rosemary Dolatowski, Janice Edelstein, Jennifer Eklof, Peter Kallio, Lisa Pisney, Luann Skarlupka, Robert Weinman, Emily Zentz

EXCUSED: Christian Saldivar Frias

STAFF: Christine Poleski, Executive Director; Jameson Whitney, Legal Counsel; Kassandra Walbrun, Administrative Rules Coordinator; Kimberly Wood, Program Assistant Supervisor-Advanced; and other Department Staff

CALL TO ORDER

Peter Kallio, Chairperson, called the meeting to order at 10:00 a.m. A quorum was confirmed with eight (8) members present.

ADOPTION OF THE AGENDA

MOTION: Emily Zentz moved, seconded by Janice Edelstein, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 11, 2021

MOTION: Robert Weinman moved, seconded by Luann Skarlupka, to approve the Minutes of March 11, 2021 as published. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

Pacific College of Health and Science – Request for Approval of Out of State Nursing School

MOTION: Luann Skarlupka moved, seconded by Rosemary Dolatowski, to acknowledge and thank Corinne Kohrherr, MSN, FNP, MSOM, LAc, Pacific College of Health and Science, for her remote appearance before the Board. Motion carried unanimously.

MOTION: Luann Skarlupka moved, seconded by Rosemary Dolatowski, to accept the withdrawal of the request of Pacific College of Health and Science for approval of its out of state nursing school. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Discuss Rule Draft for N 2, Relating to Temporary Permits

MOTION: Janice Edelstein moved, seconded by Robert Weinman, to accept the recommendation of the Legislation and Rules Committee that the Board table discussion of the revisions to N 2 (SS 015-21 – Emergency Rule) as presented in the April 8, 2021 Legislation and Rules Committee agenda materials, until such time as the committee believes necessary. Motion carried unanimously.

Pending and Possible Rulemaking Projects

Status Updates on Pending Rules

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to inquire to the Department and to escalate the Board’s concerns to the Governor’s Office regarding lack of approval of the scope statements for N 8. Motion carried unanimously.

LEGISLATIVE AND POLICY MATTERS

Senate Bill 169/Assembly Bill 166 – Temporary Practice by Registered Nurses at Summer Camps

MOTION: Peter Kallio moved, seconded by Rosemary Dolatowski, to authorize the Legislative Liaisons and Rosemary Dolatowski to work with Department Staff to draft a letter to the Legislature to communicate the Board's opposition to SB 169/AB 166 in their current form, due to the concerns regarding lack of oversight of camp nurses who are not licensed by Wisconsin or the Nurse Licensure Compact. Motion carried unanimously.

CLOSED SESSION

MOTION: Emily Zentz moved, seconded by Rosemary Dolatowski, 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; Janice Edelstein-yes; Jennifer Eklof-yes; Peter Kallio-yes; Lisa Pisney-yes; Luann Skarlupka-yes; Robert Weinman-yes; and Emily Zentz-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:30 p.m.

CREDENTIALING MATTERS

Application Reviews

Anne Symoens
License Practical Nurse Renewal Applicant

MOTION: Luann Skarlupka moved, seconded by Lisa Pisney, to deny the Licensed Practical Nurse Renewal Application of Anne Symoens. **Reason for Denial:** Applicant needs to meet conditions and recommendations as specified in the fitness to practice evaluation. Motion carried unanimously.

MOTION: Luann Skarlupka moved, seconded by Lisa Pisney, to refer the matter concerning Anne Symoens to DLSC for investigation of unlicensed practice. Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

Administrative Warnings

MOTION: Peter Kallio moved, seconded by Robert Weinman, to issue an Administrative Warnings in the matter of the following cases:

- a. 19 NUR 302 – L.L.K.
- b. 19 NUR 317 – R.J.S.
- c. 19 NUR 397 – J.C.W.
- e. 20 NUR 587 – R.L.H.

Motion carried unanimously.

20 NUR 232 – J.K.

MOTION: Peter Kallio moved, seconded by Emily Zentz, not to issue an Administrative Warning in the matter of J.K., DLSC Case Number 20 NUR 232, and to refer the matter back to DLSC. Motion carried unanimously.

Case Closings

MOTION: Janice Edelstein moved, seconded by Robert Weinman, to close the following DLSC Cases for the reasons outlined below:

- a. 19 NUR 191 – T.L.K. – Insufficient Evidence
- b. 19 NUR 222 – A.M.P. – Insufficient Evidence
- c. 19 NUR 345 – Unknown – No Violation
- d. 19 NUR 357 – J.A.S. – Insufficient Evidence
- e. 19 NUR 464 – R.L. – No Violation
- f. 20 NUR 031 – K.R.B. – Insufficient Evidence
- g. 20 NUR 593 – L.J.C. – No Violation

Motion carried unanimously.

Proposed Stipulations and Final Decisions and Orders

MOTION: Rosemary Dolatowski moved, seconded by Lisa Pisney, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings of the following cases:

- a. 17 NUR 578, 18 NUR 400, 18 NUR 612, and 20 NUR 140 – Shenandoah Greenwood, R.N.
- b. 18 NUR 302 – Jami S. Boers, R.N.
- c. 18 NUR 660 – Shalonda N. Myles, R.N., A.P.N.P.
- d. 18 NUR 764 – Allison K. Hansen, L.P.N.
- e. 19 NUR 333 – Opal S. Belcher, L.P.N.
- f. 20 NUR 320 – Jade E. Pollock, L.P.N.
- g. 20 NUR 398 – Lyndsy R. Huser, R.N.
- h. 20 NUR 542 – Amy S. Hurst, L.P.N.

Motion carried unanimously.

Monitoring Matters

Amanda Wing, R.N.

Requesting Termination of Direct Supervision

MOTION: Emily Zentz moved, seconded by Rosemary Dolatowski, to grant the request of Amanda Wing, R.N., for termination of direct supervision. Motion carried unanimously.

Kristin Felt, R.N.

Requesting Termination or Reduction of Alcohol Screens and Termination of AA/NA Meetings

MOTION: Rosemary Dolatowski moved, seconded by Emily Zentz, to grant the request of Kristin Felt, R.N., for a reduction in the frequency of drug and alcohol screens to fourteen (14) per year, plus one (1) annual hair test, and for termination of AA/NA meeting attendance. Motion carried unanimously.

Kathleen Sayles, R.N.

Requesting Reinstatement of Full Licensure

MOTION: Peter Kallio moved, seconded by Emily Zentz, to table the request of Kathleen Sayles, R.N., for full licensure. Motion carried unanimously.

Kelly Stemper, R.N.

Requesting Reduction in Drug and Alcohol Screens and Access to Controlled Substances

MOTION: Peter Kallio moved, seconded by Janice Edelstein, to deny the request of Kelly Stemper, R.N., for access to controlled substances, but to grant a reduction in the frequency of drug and alcohol screens to twenty-eight (28) per year, plus one (1) annual hair test. **Reason for Denial:**

Insufficient time under the Board Order (1/21/2020) to demonstrate adequate compliance. Motion carried unanimously.

Felicia Lowe, L.P.N.
Requesting Reduction in Screens and Work Report Schedule

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to deny the request of Felicia Lowe, L.P.N., for reduction in work report schedule, but to grant a reduction in the frequency of drug and alcohol screens to fourteen (14) per year, plus one (1) annual hair test. **Reason for Denial:** Insufficient time under the Board Order (10/24/2019) to demonstrate adequate compliance. Motion carried unanimously.

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 1:54 p.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: Jennifer Eklof moved, seconded by Lisa Pisney, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:56 p.m.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Paralegal Steve Engelbrecht on Behalf of Attorney Carley Peich Kiesling, Division of Legal Services and Compliance		2) Date When Request Submitted: April 29, 2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>														
3) Name of Board, Committee, Council, Sections: Board of Nursing																
4) Meeting Date: May 13, 2021	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Presentation of Petition for Summary Suspension in Case Number 21 NUR 006 Jaclyn A. Dionysius, R.N.														
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 checked="" type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required: Lisa Pisney, R.N., A.P.N.P.														
10) Describe the issue and action that should be addressed: The Board must decide whether to grant the Petition for Summary Suspension. In open session, the Board will hear the Division's Presentation of the Petition for Summary Suspension concerning the license of Jaclyn A. Dionysius, R.N., including the evidence to support the Petition. Respondent has the right to appear during open session to be heard and will have received notice of the Presentation prior to the Board meeting.																
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; border-bottom: 1px solid black;"> 11) <i>Steve Engelbrecht</i> </td> <td style="width: 30%; text-align: center; border-bottom: 1px solid black;"> Authorization </td> <td style="width: 30%; text-align: right; border-bottom: 1px solid black;"> 4/29/2021 </td> </tr> <tr> <td style="border-bottom: 1px solid black;"> Signature of person making this request </td> <td colspan="2" style="text-align: right; border-bottom: 1px solid black;"> Date </td> </tr> <tr> <td style="border-bottom: 1px solid black;"> Supervisor (if required) </td> <td colspan="2" style="text-align: right; border-bottom: 1px solid black;"> Date </td> </tr> <tr> <td colspan="3" style="border-bottom: 1px solid black;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </td> <td style="text-align: right; border-bottom: 1px solid black;"> Date </td> </tr> </table>				11) <i>Steve Engelbrecht</i>	Authorization	4/29/2021	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
11) <i>Steve Engelbrecht</i>	Authorization	4/29/2021														
Signature of person making this request	Date															
Supervisor (if required)	Date															
Executive Director signature (indicates approval to add post agenda deadline item to agenda)			Date													
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.																

BOARD APPEARANCE REQUEST FORM

Board Name: Board of Nursing

Board Meeting Date: May 13, 2021

Person Submitting Agenda Request: Steve Engelbrecht, Paralegal

Person requesting an appearance: Carley Peich Kiesling, Prosecuting Attorney

Mailing address: WI Dept. of Safety and Professional Services, Division of Legal Services and Compliance, P.O. Box 7190, Madison, WI 53707-7190

Email address: carleyj.peichkiesling@wisconsin.gov

Telephone #: (608) 261-2392

Reason for Appearance: Presentation of Notice and Petition for Summary Suspension in case number 21 NUR 006 Jaclyn K. Dionusius, R.N.

Is the person represented by an attorney? If so, who? No.

Attorney's mailing address: N/A

Attorney's e-mail address: N/A

Phone Attorney: N/A

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : DLSC Case No. 21 NUR 006
JACLYN K. DIONYSIUS, R.N., :
RESPONDENT. :

NOTICE OF PRESENTATION OF PETITION FOR SUMMARY SUSPENSION

To: Jaclyn K. Dionysius, R.N.
1256 Fisher Road
South Beloit, IL 61080

PLEASE TAKE NOTICE that the Petitioner, Wisconsin Department of Safety and Professional Services, Division of Legal Services and Compliance, will present the attached Petition for Summary Suspension to the Wisconsin Board of Nursing at the following date, time and place:

Date: Thursday, May 13, 2021
Time: 8:00 a.m.
Place: Virtual Board Meeting (Respondent will receive an appearance notification including information regarding how to connect virtually to the Board meeting.)

Dated at Madison, Wisconsin this 28th day of April 2021.



Carley J. Peich Kiesling, Prosecuting Attorney
State Bar Number 1041567
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190
(608) 267-5215
CarleyJ.PeichKiesling@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : DLSC Case No. 21 NUR 006
JACLYN K. DIONYSIUS, R.N., :
RESPONDENT. :

PETITION FOR SUMMARY SUSPENSION
Wis. Stat. § 227.51(3) and Wis. Admin. Code Ch. SPS 6

Carley J. Peich Kiesling, being duly sworn on oath, upon information and belief, deposes and states, as follows:

1. I am an attorney employed by the Wisconsin Department of Safety and Professional Services (Department), Division of Legal Services and Compliance, and in the course of my job duties have been assigned to the investigation and prosecution of case no. 21 NUR 006 against Respondent Jaclyn K. Dionysius for the Wisconsin Board of Nursing (Board).

2. My business address is 4822 Madison Yards Way, Madison, Wisconsin 53705, and my business mailing address is Post Office Box 7190, Madison, Wisconsin 53707-7190.

3. Respondent Jaclyn K. Dionysius, R.N., (DOB: xx-xx-1983) is licensed in the state of Wisconsin to practice as a registered nurse, having license number 233911-30, first issued on February 20, 2017, and current through February 28, 2022.

4. Respondent's most recent address on file with the Department is 1256 Fisher Road, South Beloit, Illinois 61080.

5. Respondent was also licensed in Illinois to practice as a registered nurse, having license number 041436434, first issued on November 4, 2015.

6. In 2018, the Illinois Department of Financial and Professional Regulation (IL Department) opened an investigation based on a complaint that a pre-employment urine drug screen (UDS) submitted by Respondent on August 17, 2018, tested positive for lorazepam, for which Respondent did not have a prescription.

7. Respondent failed to cooperate with the IL Department's investigation, failed to answer the complaint, and failed to show up at scheduled hearings.

8. On December 12, 2019, Respondent's Illinois license was suspended by the IL Department for engaging in dishonorable, unethical or unprofessional conduct of a character likely

to deceive, defraud or harm the public, pursuant to 225 ILCS 65/70-5(b)(7) and violating 68 Ill. Admin. Code 1300/et seq. ("Nurse Practice Act").

9. Respondent renewed her Wisconsin license on February 25, 2020.

10. Respondent did not report the suspension of her Illinois license when she renewed her Wisconsin license on February 25, 2020, or at any other time.

11. On November 3, 2020, Respondent began work as a registered nurse at Delavan Health Services in Delavan, Wisconsin (Facility).

12. The Facility initiated an investigation on December 26, 2020, after it was discovered that fifteen pages from the Facility narcotic books were missing, with each page containing one to thirty narcotics.

13. As part of its investigation, the Facility audited narcotic books for the prior two years and found no missing pages until after Respondent started working at the Facility.

14. Based on its investigation, the Facility concluded that Respondent diverted narcotics on December 24 and 25, 2020. Specifically, the Facility concluded that on December 24, 2020, Respondent took a narcotic book and sixty (60) Percocet and started a new narcotic book to cover her diversion, and that on December 25, 2020, she took a card of eighteen (18) Oxycodone tablets.

15. On December 26, 2020, Respondent was asked by the Facility to submit to a UDS at Mercy Walworth Hospital. Initially, Respondent agreed to do so. However, the Hospital subsequently reported they had no record of a urine sample from Respondent. Respondent claimed that she went to the Hospital but that they did not give her any paperwork and must have lost her sample.

16. The Facility noted that two other nurses were asked to give urine samples on the same date and had been given a carbon copy of their results immediately. Both of those nurses' UDS results were negative. Based on this information, the Facility considered Respondent to have refused the UDS and her employment was terminated.

17. Respondent did not report the suspension of her Illinois license to the Facility when she was hired. When the Facility asked Respondent about the suspension of her Illinois license during their investigation, she stated that she had never been in trouble and that it must be a mistake.

18. The Facility contacted the Delavan Police Department and an officer interviewed Respondent on December 28, 2020, at which time she denied diverting the narcotics. Between December 28, 2020, and March 4, 2021, the officer called Respondent numerous times to follow-up and left voicemails, but she never called him back. Charges of theft were referred to the Walworth County District Attorney's Office.

19. On January 11, 2021, the Department received a complaint regarding Respondent's diversion at the Facility, which was assigned case number 21 NUR 006.

20. On January 15 and January 26, 2021, the Division of Legal Services and Compliance (Division) sent an email to Respondent at her email address on file with the Department (jaxrn777@gmail.com) requesting a response to the complaint. Respondent did not respond.

21. On February 3, 2021, the Division sent a letter to Respondent at her mailing address on file with the Department (1256 Fisher Road, South Beloit, Illinois 61080) requesting her response to the complaint. Respondent did not respond.

22. On February 19, 2021, a Division investigator attempted to call Respondent at the phone number on file with the Department (815-871-8879); however, the phone number was disconnected. Another request for her response was sent to Respondent at her email address on file with the Department (jaxrn777@gmail.com) on the same date.

23. On April 1, 2021, a Division investigator called Respondent using a phone number found on the police report (815-713-7175) and spoke with Respondent. Respondent claimed she had not received any of the Division's prior requests but did confirm that the address on file with the Department is her correct address. Respondent said she would call the investigator back later that day but never did.

24. On April 5, 2021, a Division investigator called Respondent again using the phone number found on the police report (815-713-7175) and left a voicemail. Respondent did not respond.

25. By the conduct described in paragraphs 5-8 above, Respondent was noncompliant with federal, jurisdictional, or reporting requirements by having a license to practice nursing or a nurse licensure compact privilege to practice denied, revoked, suspended, limited, or having the credential holder otherwise disciplined in another state, territory, or country, within the meaning of Wisconsin Admin. Code § N 7.03(1)(b).

26. By the conduct described in paragraphs 20-24 above, Respondent was noncompliant with federal, jurisdictional, or reporting requirements by, after a request of the board, failing to cooperate in a timely manner, with the board's investigation of a complaint filed against a license holder, within the meaning of Wisconsin Admin. Code § N 7.03(1)(c).

27. By the conduct described in paragraphs 11-16 above, Respondent violated laws substantially related to the practice of nursing, within the meaning of Wis. Admin. Code § N 7.03(2).

28. By the conduct described in paragraphs 11-16 above, Respondent engaged in fraud, deception or misrepresentation by falsifying or inappropriately altering reports, patient documentation, agency records, or other health documents, within the meaning of Wisconsin Admin. Code § N 7.03(5)(a).

29. By the conduct described in paragraphs 11-16 above, Respondent engaged in unsafe practice or substandard care by departing from or failing to conform to the minimal standards of acceptable nursing practice that may create unnecessary risk or danger to a patient's life, health, or safety, within the meaning of Wis. Admin. Code § N 7.03(6)(c).

30. By the conduct described in paragraphs 11-16 above, Respondent engaged in unsafe practice or substandard care by practicing nursing while under the influence of alcohol, illicit drugs, or while impaired by the use of legitimately prescribed pharmacological agents or medications, within the meaning of Wis. Admin. Code § N 7.03(6)(e).

31. By the conduct described in paragraphs 11-16 above, Respondent engaged in improper prescribing, dispensing, or administering medication or drug related offenses by obtaining, possessing or attempting to obtain or possess a drug without lawful authority, within the meaning of Wis. Admin. Code § N 7.03(8)(e).

32. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b)(c) and (d).

33. A formal complaint alleging that Respondent has engaged in unprofessional conduct will be filed with the Wisconsin Department of Administration, Division of Hearings and Appeals.

34. It is imperatively required and necessary to suspend Respondent's license to practice as a registered nurse immediately to protect the public health, safety and welfare.

WHEREFORE, the Division of Legal Services and Compliance hereby requests that the Board:

1. Find that notice has been given to Respondent under Wis. Admin. Code § SPS 6.05.
2. Find probable cause to believe that Respondent has engaged in, or is likely to engage in, conduct such that the public health, safety or welfare imperatively requires emergency suspension of Respondent's license to practice as a registered nurse.
3. Issue an order summarily suspending Respondent's license to practice as a registered nurse in the state of Wisconsin (license number 233911-30) and order that such suspension continue until the effective date of a final decision and order issued in the disciplinary proceeding against Respondent, unless otherwise ordered by the Board.

STATE OF WISCONSIN)
) ss
COUNTY OF DANE)

Carley J. Peich Kiesling, being first duly sworn on oath, deposes and says that she is an attorney for the State of Wisconsin, Department of Safety and Professional Services, Division of Legal Services and Compliance, and that she has read the foregoing petition and knows the contents thereof and that the same is true to her own knowledge, except as to those matters therein stated on information and belief, and as to such matters, she believes them to be true.



Carley J. Peich Kiesling, Prosecuting Attorney
State Bar Number 1041567
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190
(608) 267-5215
CarleyJ.PeichKiesling@wisconsin.gov

Subscribed and sworn to before me
this 28 day of April, 2021.



Notary Public
My Commission expires permanently.

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: AFFIDAVIT OF SERVICE
JACLYN K. DIONYSIUS, R.N., :
RESPONDENT. :

Division of Legal Services and Compliance Case No. 21 NUR 006

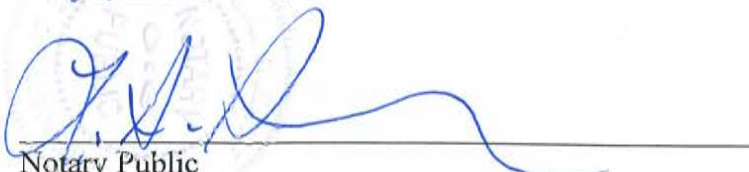
Steven Engelbrecht, being first duly sworn on oath deposes and states that he is in the employ of the Department of Safety and Professional Services, Division of Legal Services and Compliance, on April 28, 2021, served on Respondent a Notice of Presentation of Petition for Summary Suspension, dated April 28, 2021; a Petition for Summary Suspension, dated April 28, 2021; Affidavit of Shannon Wagner, dated April 28, 2021; Affidavit of Carley J. Peich Kiesling, dated 28, 2021; and Peich Kiesling Aff. Exhibits A, B, and C, by:

1. Mailing a true and accurate copy by certified mail with a return receipt requested in an envelope properly stamped and addressed to Respondent at 1256 Fisher Road, South Beloit, IL 61080. Certified number 7020 1290 0002 1550 6657.
2. Mailing a true and accurate copy by regular mail in an envelope properly stamped and addressed to Respondent at 1256 Fisher Road, South Beloit, IL 61080.
3. Mailing a true and accurate copy by electronic mail to Respondent at jaxrn777@gmail.com.

Steve Engelbrecht

Steve Engelbrecht,
Department of Safety and Professional Services
Division of Legal Services and Compliance

Subscribed and sworn to before me
this 28 day of April, 2021.



Notary Public
My Commission is permanent.

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JACLYN K. DIONYSIUS, R.N.,
RESPONDENT.

:
:
: DLSC Case No. 21 NUR 006
:
:

AFFIDAVIT OF SHANNON WAGNER

STATE OF WISCONSIN)
) ss
COUNTY OF DANE)

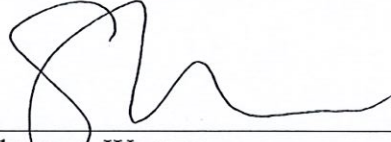
Shannon Wagner, being duly under oath, deposes and states, as follows:

1. I am a consumer protection investigator employed by the Wisconsin Department of Safety and Professional Services, Division of Legal Services and Compliance, and in the course of my professional duties have been assigned to the investigation of case no. 21 NUR 006 against Respondent Jaclyn K. Dionysius for the Wisconsin Board of Nursing.
2. My business address is 4822 Madison Yards Way, Madison, Wisconsin 53705, and my business mailing address is Post Office Box 7190, Madison, Wisconsin 53707-7190.
3. In the course of my professional duties, I reviewed the Department's file and noted that a Department employee in Intake made the following attempts to contact Respondent:
 - a. On January 15 and January 26, 2021, Intake attempted to contact Respondent at the email address on file with the Department (jaxrn777@gmail.com). Respondent did not respond.
 - b. On February 3, 2021, Intake sent a letter to Respondent at the U.S. Mail address on file with the Department (1256 Fisher Road, South Beloit, Illinois 61080). Respondent did not respond.
4. On February 19, 2021, I attempted to call Respondent at the phone number on file with the Department (815-871-8879); however, the phone number was disconnected. I sent another request to Respondent at the email address on file with the Department (jaxrn777@gmail.com) on the same date.

5. On April 1, 2021, I called Respondent using a phone number found on the police report (815-713-7175) and spoke with Respondent. Respondent claimed she had not received any of the Division's prior requests but did confirm that the address on file with the Department is her correct address. Respondent said she would call me back later that day but never did.

6. I called Respondent again on April 5 using the phone number found on the police report (815-713-7175) and left a voicemail. Respondent did not respond.

7. I make this affidavit in support of the Petition for Summary Suspension in the above-captioned matter, based upon my personal knowledge.

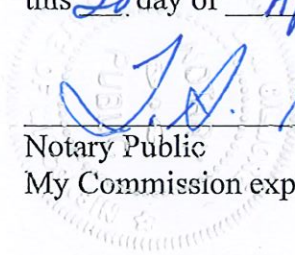


Shannon Wagner
Consumer Protection Investigator

Subscribed and sworn to before me
this 20 day of April.



Notary Public
My Commission expires perpetual.



STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : DLSC Case No. 21 NUR 006
JACLYN K. DIONYSIUS, R.N., :
RESPONDENT. :

AFFIDAVIT OF CARLEY J. PEICH KIESLING

STATE OF WISCONSIN)
) ss
COUNTY OF DANE)

Carley J. Peich Kiesling, being duly under oath, deposes and states, as follows:

1. I am an attorney employed by the Wisconsin Department of Safety and Professional Services, Division of Legal Services and Compliance, and in the course of my professional duties have been assigned to the investigation and prosecution of case no. 21 NUR 006 against Respondent Jaclyn K. Dionysius for the Wisconsin Board of Nursing.

2. My business address is 4822 Madison Yards Way, Madison, Wisconsin 53705, and my business mailing address is Post Office Box 7190, Madison, Wisconsin 53707-7190.

3. In the course of my professional duties, I reviewed the following documents which are contained in the Department's file for this matter:

- a. Order dated December 12, 2019 (*Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation v. Jaclyn Dionysius*, case no. 2018-09266) (Exhibit A).
- b. Wisconsin Department of Health Services, Office of Caregiver Quality, referral dated January 11, 2021 (and attachments) (Exhibit B).
- c. City of Delavan Police Department Incident Report (no. 20-028164) (Exhibit C).

4. I make this affidavit in support of the Petition for Summary Suspension in the above-captioned matter, and based upon my personal knowledge.

Carley J. Peich Kiesling

Carley J. Peich Kiesling
Prosecuting Attorney

Subscribed and sworn to before me
this 28 day of April, 2021.

[Signature]

Notary Public
My Commission expires permanet.





Illinois Department of Financial and Professional Regulation
Division of Professional Regulation

JB PRITZKER
Governor

DEBORAH HAGAN
Acting Secretary

Director
Division of Professional Regulation

FORMAL DISCIPLINARY DOCUMENT

I do hereby certify this is a complete, true and accurate copy of the document on file with the Illinois Department of Financial and Professional Regulation.

Deborah Hagan
Acting Secretary
Division of Professional Regulation



Department Seal

Peich Kiesling Aff. Exhibit A

STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION

DIVISION OF PROFESSIONAL REGULATION)	
OF THE ILLINOIS DEPARTMENT OF FINANCIAL)	
AND PROFESSIONAL REGULATION,)	Complainant,
v.)	Case No. 2018-09266
JACLYN DIONYSIUS,)	
License No. 041.436434,)	Respondent.

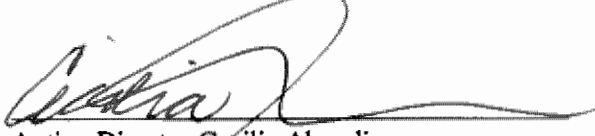
ORDER

This matter comes before the Acting Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation (“Department”) following the Illinois Board of Nursing’s (“Board”) Findings of Fact, Conclusions of Law, and Recommendation to the Acting Director, for which the Department has complied with all required notices. The time allowed for the filing of a Motion for Hearing before the Acting Director has now passed.

Now therefore, I, Acting Director Cecilia Abundis, after reviewing this matter and the documents attached hereto and referenced herein, do hereby adopt the Findings of Fact, Conclusions of Law, and Recommendation of the Board. It is therefore ordered that Respondent Jaclyn Dionysius’ professional registered nurse license no. 041.436434 is indefinitely suspended.

DATED THIS 12th DAY OF December, 2019

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
SECRETARY DEBORAH HAGAN


Acting Director Cecilia Abundis
Division of Professional Regulation

STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION

DIVISION OF PROFESSIONAL REGULATION)	
OF THE ILLINOIS DEPARTMENT OF FINANCIAL)	
AND PROFESSIONAL REGULATION,)	Complainant,
v.)	Case No. 2018-09266
JACLYN DIONYSIUS,)	
License No. 041.436434,)	Respondent.

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND RECOMMENDATION TO THE DIRECTOR**

Now comes the Board of Nursing (“Board”) of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation (“Department”) and, after reviewing this matter, a majority of its members hereby renders the following Findings of Fact, Conclusions of Law, and Recommendation to the Director:

FINDINGS OF FACT

1. Respondent Jaclyn Dionysius (“Respondent”) is a registered professional nurse in Illinois, license no. 041.436434, issued by the Department. Respondent’s license is presently in active status.
2. At all relevant times, the Department had the power and duty to investigate and discipline license holders and to take action pursuant to the Illinois Nurse Practice Act (“Act”) 225 ILCS 65/*et seq.* and the Act’s Administrative Rules (“Rules”) 68 IAC 1300/*et seq.*
3. THAT the Department filed a Complaint against Respondent on or around June 5, 2019, sent notice the Preliminary Hearing with the Complaint to the Respondent’s last known email address in accordance with the Department’s records: jtcd11@gmail.com. The Preliminary Hearing was set for July 8, 2019.
4. THAT on July 8, 2019, Respondent failed to appear, either in person or by counsel. Respondent had not filed an answer.
5. THAT the Administrative Law Judge ordered that Respondent file an Answer to the Department’s Complaint on or before July 29, 2019. A status hearing was scheduled for August 5, 2019. The Administrative Law Judge’s Order warned Respondent that the failure to file an Answer would result in Respondent being held in default and then the matter would be sent to the Board on the pleadings.
6. THAT on August 5, 2019, Respondent failed to appear. Respondent failed to file an Answer. The Administrative Law Judge transferred the matter to the Board for its deliberations based on the pleadings. A copy of the Administrative Law Judge’s Order was sent via email to the last known address of the Respondent.
7. THAT this Board finds the following allegations of the Complaint to be true:
 - a. Respondent is presently the holder of a registered professional nurse license no. 041.436434, issued by the Department.

- b. On or about August 17, 2018, Respondent participated in a post-offer drug screening for a position at Fair Oaks Health Care Center ("Fair Oaks") in South Beloit, Illinois.
- c. On or about August 25, 2018, the drug screening came back positive for lorazepam.
- d. Respondent was unable to provide Fair Oaks with a valid prescription for lorazepam.

CONCLUSIONS OF LAW

- 1. The Board has jurisdiction over the subject matter and the parties in this case.
- 2. Respondent violated the Act at 225 ILCS 65/70-5(b)(7).
- 3. Respondent is in violation of 68 Ill. Admin. Code 1300/et seq.
- 4. Respondent's violations are grounds for discipline pursuant to 225 ILCS 65/70-5(b) (7).

RECOMMENDATION

The Board after making the above Findings of Fact and Conclusions of Law, recommends to the Director of the Division of Professional Regulation that Illinois registered professional nurse license no. 041.436434 of Jaclyn Dionysius shall be indefinitely suspended.

Signatures on the following page.

Dated this 1st day of November, 2019.

CHAIRPERSON

MEMBER

MEMBER

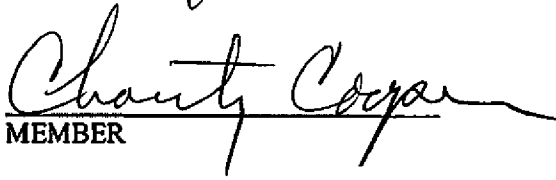
MEMBER

MEMBER

MEMBER



MEMBER



MEMBER



MEMBER

MEMBER

MEMBER

Jaclyn Dionysius
Case No. 2018-9266
License No. 041.436434

Dated this 1st day of November, 2019.

Helen Catherine Miller
CHAIRPERSON

Stavis Rand
MEMBER

MEMBER

Cassidy Riedel
MEMBER

MEMBER

Michelle Moraga
MEMBER

MEMBER

MEMBER

MEMBER

MEMBER

MEMBER

Jaclyn Dionysius
Case No. 2018-9266
License No. 041.436434

Memorandum

To: DSPS Division of Enforcement
CC: Case Number 114459
From: Davis Ciotola, Director
DHS Office of Caregiver Quality
Date: January 11, 2021
Re: Jaclyn Dionysius, RN

The Office of Caregiver Quality (OCQ) has received a report containing an allegation of caregiver misconduct by a credentialed healthcare provider.

We are referring this matter to DSPS for review and appropriate action.

If you need additional information, please contact Matthew Krueger at Matthew.Krueger@Dhs.Wisconsin.Gov or 608-261-8319.

Thank you.

CONFIDENTIAL

Peich Kiesling Aff. Exhibit B



[\(http://dsps.wi.gov/\)](http://dsps.wi.gov/)

Wisconsin Department of Safety and Professional Services

Credential/Licensing Search

Individual Search Results - Detail

Credential/License Summary for 233911

Name: DIONYSIUS, JACLYN K

Profession: REGISTERED NURSE (30)

Credential/License Number: 233911-30

Location: SOUTH BELOIT IL

Credential/License Type: regular

Status: License is current (Active)

Eligible To Practice: credential license is current

Credential/License current through: 2/28/2022

Granted date: 2/20/2017

Multi-state: N

Orders: NONE

Specialties: NONE

Other Names: NONE

Wis. Stat. § 227.51(2) When a licensee has made timely and sufficient application for the renewal of a license or a new license with reference to any activity of a continuing nature, the existing license does not expire until the application has been finally acted upon by the agency, and, if the application is denied or the terms of the new license are limited, until the last day for seeking review of the agency decision or a later date fixed by order of the reviewing court.

[Requirement Code Description](#)

<https://dsps.wi.gov/Documents/LicenseRequirementAcronyms.pdf>

[Return to Search Results \(/IndividualLicense/SearchResults\)](#)

MISCONDUCT INCIDENT REPORT

GENERAL INSTRUCTIONS

Completion of this form is required by DHS 13.05(3)(a), Wis. Admin. Code. Failure to file a complete and accurate report of an incident of alleged misconduct, as required, may subject the entity to forfeiture or other sanctions specified by the Department under DHS 13.05(3)(e), Wis. Admin. Code, and may delay the investigation process. Personal information will be used to investigate the reported incident and the results of the investigation may be shared with other authorized investigative agencies.

- Use this form to report incidents of alleged misconduct (client abuse or neglect or misappropriation of client property) and injuries of unknown source. The Department reviews this report to determine whether further investigation of the incident is warranted. So that the Department may make this determination, please complete the Misconduct Incident Report in its entirety. Use the following information as guidance when completing this form.
- **FEDERALLY CERTIFIED NURSING HOMES AND FEDERALLY CERTIFIED INTERMEDIATE CARE FACILITIES FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES**
 Upon the completion of the entity's internal investigation of the incident, submit the completed form, any available documentation, and the results of your investigation **within 5 WORKING days** (Monday – Friday, excluding legal holidays) of the date the entity knew or should have known of the incident.
- **ALL OTHER ENTITIES**
 Upon the completion of the entity's internal investigation of the incident, submit the completed form, any available documentation, and the results of your investigation **within 7 CALENDAR days** of the date the entity knew or should have known of the incident.
- **NOTE:**
 All complaints regarding **both credentialed staff** (e.g., RN, LPN, MD) and **non credentialed staff** (e.g., nurse aides, personal care workers, housekeepers) will be tracked by the Department of Health Services, Division of Quality Assurance (DQA). DQA will refer complaints that involve credentialed staff to the Department of Safety and Professional Services for investigation.
- Questions about completion of this form may be directed to **608-261-8319**.

1. ENTITY INFORMATION			
Name- Entity or Facility DEHAVAN HEALTH SERVICES		Federal Provider or Certification No. 525324	
Street Address 905 E GENEVA ST,		City DEHAVAN	State License, Approval, or Registration No. 3157
County WALWORTH	State WI	Zip Code 53115	Entity Type NURSING HOME (NH)
Name- Administrator LAURA HOLMSTROM		Telephone Number	

2. SUMMARY OF INCIDENT

INDICATE when the incident occurred. If the exact date and time are unknown, make a reasonable estimate and indicate that the date and time are estimated. Include the date the incident was discovered, if other than the date the incident occurred.

Is date and time when occurred known?	Date occurred (MM/dd/yyyy)	Time occurred	Is occurred date and time estimated?	Date discovered (MM/dd/yyyy)
No				12/26/2020

Briefly Describe the incident- a more detailed summary should be uploaded on the Attachments tab. (1000 characters limit)

Nacotics missing from med cart. Investigation begun. Police called.

DESCRIBE THE EFFECT that the incident had on the affected person, the person's reaction to the incident, and the reaction of others who witnessed the incident. (1000 characters limit)

Upon investigation the facility does not feel any residents were affected.

EXPLAIN what steps the entity took upon learning of the incident to protect the affected person(s) and others from further potential misconduct. (1000 characters limit)

Director of Nursing started thorough investigation and police called. Police started their own investigation.

SPECIFIC location where the incident happened.

At Your Entity: At Your Entity: At Your Entity:

3. AFFECTED PERSON INFORMATION

Name- Affected Person Constance Cook			Gender Female
Street Address ██████████			Date of Birth (MM/dd/yyyy) ██████████
City Delavan	State Wisconsin	ZIP Code 53115	Telephone No. ██████████

NOTE: If the affected person is adjudicated incompetent, under age 18, or has an authorized Power of Attorney for Health Care, include the name, address, and telephone number of parent, guardian, or legal representative.

Name - Parent, Guardian, or Power of Attorney			Telephone No.
Address ,	City	State	ZIP Code

4. ACCUSED PERSON INFORMATION

Name- Accused Person Jaclyn Dionysius			Gender Female
Position, Title, or Relationship to Affected Person <i>(at the time of the incident)</i> RN			Social Security No. [REDACTED]
Home Address [REDACTED]			Date of Birth (MM/dd/yyyy) [REDACTED]
City South Beloit	State Illinois	ZIP Code 61080	Telephone No. [REDACTED]
Role Credentialed Staff	Accused credential held by at time of incident		

NOTE: If employer is other than the reporting entity, provide information about accused person's current employer.

Name – Employer			Telephone No.
Street Address ,	City	State	ZIP Code

NOTE: If the accused person is adjudicated incompetent, under age 18, or has an authorized Power of Attorney for Health Care, include the name, address, and telephone number of parent, guardian, or legal representative.

Name - Parent, Guardian, or Power of Attorney		Gender	Telephone No.
Address ,	City	State	ZIP Code

5. LAW ENFORCEMENT INVOLVEMENT

Was law enforcement contacted or involved? Yes			
Name – Officer (if available) Michael Anderberg			Case No. (if available) 20-028028
Name – Department Delavan Policy Department			Telephone No. [REDACTED]
Address 123 South 2nd St. ,	City Delavan	State Wisconsin	ZIP Code 53115

6. PERSON WITH SPECIFIC KNOWLEDGE OF INCIDENT

Name- Person with Information About the Incident Tammy Wright			Gender Female
Street Address [REDACTED]			Telephone No. [REDACTED]
City Delavan	State Wisconsin	ZIP Code 53115	
Is this person an ENTITY EMPLOYEE? : Yes		Position in the Entity or Relationship to the Affected Person: Director of Nursing	
Is this person who REPORTED Incident to the Entity? : No			

Name- Person with Information About the Incident Jennifer Roberts			Gender Female
Street Address [REDACTED]			Telephone No. [REDACTED]
City Delavan	State Wisconsin	ZIP Code 53115	
Is this person an ENTITY EMPLOYEE? : Yes		Position in the Entity or Relationship to the Affected Person: RN	
Is this person who REPORTED Incident to the Entity? : Yes			

7. PERSON PREPARING THIS REPORT

Name- Person Preparing This Report Laura Holmstrom			Email Address [REDACTED]
Street Address [REDACTED]			Telephone No. [REDACTED]
City Delavan	State Wisconsin	ZIP Code 53115	Is this person an ENTITY EMPLOYEE? Yes
Position in the Entity or Relationship to the Affected Person: Executive Director	SIGNATURE – Person Preparing This Report Laura Holmstrom		Date Signed (MM/dd/yyyy) 12/31/2020
Report Submitted By lholmstrom68	Report Submitted Date: 12/31/2020 1:37:38 PM		

Delavan Narcotic Investigation

December 26th, 2020

On December 26th, 2020 it was discovered that fifteen pages from the facility narcotic books were missing. Each page had anywhere from one to thirty narcotics on them. The Delavan Police Department were immediately notified and a self-report to the DQA (Division of Quality Assurance) was made. Officer Brian Mair started case number 20-028028 at around 1300 on 12/26/2020. He stated that the detective would be in on Monday and asked us to continue our internal investigation and call to speak with the detective on Monday when we had more information.

On Monday December 28th, 2020 Laura Holmstrom ED (Executive Director) and Tammy Wright DON (Director of Nursing) spoke with Michael Anderberg of the Delavan PD over the phone. He was sent our internal investigation via email and we discussed the case further over the phone. He was in contact with multiple nurses and is awaiting a call back from Jaclyn Dionysius currently.

Our internal investigation has noted significant findings pointing to Jaclyn Dionysius RN. Jaclyn started working at Delavan Health Services on November 3rd, 2020. Narc books for the past two years were audited and there are no noted missing pages until after Jaclyn started.

Through investigation it appears that Jaclyn also took a narc book and (60) Percocet on 12/24/2020. She then started a new narc book to cover her tracks. She left early on 12/25/2020 without giving nursing report or counting narcotics with the next nurse stating that she drank OJ and she was nauseous. We believe that we can link a card of (18) Oxycodone that went missing on 12/25/2020 to her along with multiple other cards of narcotics.

She was directed to go to the Mercy Walworth Hospital and provide them with a urine sample on 12/26/2020. She agreed to go right away. The hospital states they have no record of the urine sample. She states that she went but they did not give her any paperwork and that the hospital must have lost her sample. Two other nurses were asked to give a urine sample and they were given a carbon copy of their results immediately. Both of these nurses urinalysis results were negative.

Jaclyn Dionysius was noted to have an Illinois RN license that is suspended indefinitely. We found this information out after she was employed with us. She did not disclose this information upon hire. When this information was discovered by Provider Trust (a license monitoring system used by our company) Laura Holmstrom ED and Tammy Wright DON called Jaclyn and asked if she would disclose what the suspension was for. Jaclyn told us that she has never been in trouble and that it must be a mistake. We later discovered that it was suspended due to unprofessional conduct as of 12/12/2019. The police continue to look further into this matter.

Nursing re-education has been started for all licensed nurses on the following: Nurses must count every page of the narcotic books at shift change and not assume that the page reads zero if the card is missing. Nurses must sign narcotics into the books with two licensed nurses, Nurse must never tear out pages of the narcotic books and the accepting nurse must fill out the log in the front of the narc book.

Narcotics are now being audited three times a week by nursing management and these audits will be brought to QAPI until IDT feels the issue is resolved. Officer Michael Anderberg continues to work on the case. Delavan Health Services feel they have put forth a good faith effort to solve this case. The

investigation will remain open until the Delavan Police have come to their conclusion. Jaclyn remains on administrative leave pending the results of the investigation.

Sammy Wrightson
TAMMY WRIGHTSON

James ~~Wrightson~~ ED
Lawa Holmstrom ED



Tony Evers
Governor

1 WEST WILSON STREET
PO BOX 2969
MADISON WI 53701-2969

Andrea Palm
Secretary

State of Wisconsin
Department of Health Services

Telephone: 608-266-8481
Fax: 608-267-0352
TTY: 711 or 800-947-3529

January 11, 2021

CONFIDENTIAL

Laura Holmstrom, Administrator
Delavan Health Services
905 E Geneva Street
Delavan, Wisconsin, 53115

Dear Ms. Holmstrom:

The Division of Quality Assurance, Office of Caregiver Quality (OCQ) is responsible for receiving, investigating and acting upon complaints of alleged misconduct by noncredentialed caregivers. Caregiver misconduct includes abuse or neglect of a client, or misappropriation of a client's property.

On December 31, 2020, we received your report alleging an incident of caregiver misconduct involving Jaclyn Dionysius, RN took place at your facility. Because the accused is a credentialed caregiver, we have referred this report to the Wisconsin Department of Safety and Professional Services (DSPS) for review and appropriate action. This determination does not affect, negate, or resolve other violations or regulatory enforcement actions that may have been issued or taken by the Department of Health Services (DHS), nor does it affect, negate, or resolve employment issues relating to possible work rule violations.

Please refer any questions to the DSPS' Division of Legal Services and Compliance at DSPSenforcement@wi.gov. Reference the DSPS professional license number, found at the bottom of this notice.

Sincerely,

Davis Ciotola, Director
Office of Caregiver Quality

DC:mtk

cc: Southeastern Regional Office - BNHRC RFOD
WI Dept. of Safety and Professional Services
DSPS Professional License Number 233911
Incident/Case 1038780/114459

**Wisconsin Department of Health Services
ASPEN: Facility Information (FI)**

Printed 01/05/2021

Page 1 of 1

Identification:			
State Facility ID: 9470	Provider ID: 525324	State License ID: 3157	
Medicaid ID: 1538687330	Type: NURSING HOME (NH)		
Name: DELAVAN HEALTH SERVICES			
Address: 905 E GENEVA ST			
City: DELAVAN	State: WI	Zip: 53115	
Phone: (262) 728-6319	FAX: (262) 728-6693		
Administrator: (Current)			
Salutation:		Title:	
First: LAURA			
Last: HOLMSTROM			
Mailing Address: WILLOWFIELD NUR AND REHAB		Team: SER	
Address: 905 E GENEVA ST		Mgmt Unit: BNHRC	
Extended Address:			
City: DELAVAN	State: WI	Zip: 53115	
Buildings	Description	Name	Constructed
Type		Location	
2 01	TYPE II-PROTECT	1967_1985 BUILDING Willowfield Nursing and Rehab	
7 02	TYPE V-PROTECTE	1996 BUILDING Willowfield Nursing and Rehab	
2 03	TYPE II-PROTECT	1967_1985 BUILDING Delavan, WI	
7 04	TYPE V-PROTECTE	1996 BUILDING Delavan, WI	



CITY OF DELAVAN
POLICE DEPARTMENT
POLICE RECORD REQUEST

NAME OR INCIDENT NUMBER:	Jaelyn Dionysius 6/15/83 20-028164
DATE OF INCIDENT:	12/28/20
DATE OF REQUEST:	3/29/21
REQUESTED BY:	(Last, First, Middle & Date of Birth) wisconsin Department of Safety and Professional Services DOB: / /
ADDRESS:	madison WI
PHONE NUMBER:	608.266.2112

FOR POLICE DEPARTMENT USE

DVPD PERSONNEL ACCEPTING THIS DOCUMENT:	3471	
CHIEF OF POLICE:	ACCEPTED 29 MAR 2021	DENIED

OPEN RECORD REQ. CALL # ~~00~~ 21-006497

*** IDENTIFYING INFORMATION IS REQUESTED ONLY FOR THE PURPOSE OF PROVIDING A WRITTEN REQUEST IF THE RECORD IS DENIED, AS REQUIRED BY WISCONSIN LAW.***



City of Delavan Police Department

Incident Report

Incident: Theft - From Building <\$50

Incident Report Number: 20-028164 Between: Date - Time And/At: Date-Time 12/24/20 23:59

Incident Location: 905 E Geneva St, Delavan, WI, 53115

CFS Code-1: 2308 CFS Code-2: CFS Code-3: Offense Code-4: CFS Code-5: CFS Code-6: CFS Code-7: CFS Code-8:

CON Counselman, Susan Marie DOB: Race/Sex W/F

Address: (Address, City, State, Zip) Phone 1

Employer Phone 2

Employer Address Work Phone #

MEN Cousens, Gretchen J. DOB: Race/Sex W/F

Address: (Address, City, State, Zip) Phone 1

Employer Phone 2

Employer Address Work Phone #

NAMES

Caller

Holmstrom, Laura Marie W/F-52 of DOB: HT: 503 WT: 130 Hair: Blonde or Strawberry Eyes: Brown Phone 1:

Victim

Delavan Health Services of 905 E Geneva St, Delavan, WI, 53115

Vehicle Information: (Year, Make, Model, Style, Color)

License Number: State: Expiration Year: Vin: Insurance Company:

Other Vehicle Information: NCIC#

Reporting Officer(s): Anderberg, Michael Payroll Number : 529 Report Date: 12/29/2020

Time Received: 10:59:30 Time Cleared: 11:33:44 Unit(s) Assigned: 3415 Pages: 1 OF 6

Reviewed by: Hansen, James M. Payroll Number : 516 Copy To 42

Date: 12/29/2020 CFS Code-1: 2308 Incident Report Number: 20-028164

City of Delavan Police Department

Continuation

Incident Report Number
20-028164

Incident Location:
905 E Geneva St, Delavan, WI, 53115

Incident Date:
12/28/2020

Phone 1: [REDACTED]

Phone 2: [REDACTED]

Suspect

Dionysius, Jaclyn Kay W/F-37 of [REDACTED]

DOB: [REDACTED]

HT: 506 WT: 180 Hair: Blonde or Strawberry

Phone 1: [REDACTED]

Booking#: 21-000168

Case#	Charge	Description	Ct
20-028164	943.20(1)(a)	Theft - Movable Prop (Special Facts) (UC 1 R >=\$200)	

Contact

Macias Herrada, Karisnma W/F-27 of [REDACTED]

DOB: [REDACTED]

HT: 501 WT: 230 Hair: Brown

Eyes: Brown

Phone 1: [REDACTED]

Mentioned-1

Roberts, Jennifer Ann W/F-46 of [REDACTED]

DOB: [REDACTED]

HT: 510 WT: 240 Hair: Blonde or Strawberry

Eyes: Blue

Phone 1: [REDACTED]

Mentioned-2

Stirmel, Sheila M. W/F-57 of [REDACTED]

DOB: [REDACTED]

HT: 502 WT: 145 Hair: Brown

Phone 1: [REDACTED]

Phone 2: [REDACTED]

City of Delavan Police Department

Continuation

Incident Report Number
20-028164

Incident Location:
905 E Geneva St, Delavan, WI, 53115

Incident Date:
12/28/2020

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
20-001117				
1	STO		Aprox 18 pills of Oxycodone	18.000 \$2.00

Reporting Officer(s):
Anderberg, Michael

Payroll Number :
529

Pages: **44**
3 OF 6

City of Delavan Police Department**Continuation**

Incident Report Number

20-028164

Incident Location:

905 E Geneva St, Delavan, WI, 53115

Incident Date:

12/28/2020

NARRATIVE

Initial Call:

On Monday December 28, 2020 at 10:59am, I, Officer Anderberg was asked to respond to 905 E Geneva St, Delavan Health Services, to meet with Laura Holmstrom in reference to information received about a possible theft that occurred.

Contact with Laura Holmstrom:

I then made phone contact with the complainant, Laura Holmstrom, via phone. Laura informed me that she is the Executive Director for Delavan Health Services at 905 E Geneva St in Delavan WI and that she was advised to contact police with additional information after speaking to an officer on Christmas Day. Laura stated that she had contacted the Delavan Police Department on Christmas day 12/25/2020 to report a possible theft but also stated that at the time they were unsure if a theft had occurred or if medication was missing due to poor book keeping. After conducting their own internal investigation Laura stated that they believed medication had been intentionally taken by an employee without consent.

Laura provided me with a copy of her investigation in which she detailed what she believed to be a theft of medication that occurred on the night of 12/24/2020 into the morning of 12/25/2020. The report alleges that a current employee Jacklyn Dionysius RN was on shift during the time frame in which the medication, 18 pills Oxycodone, went missing. The report details that the day shift RN, Karisnma Macias RN, had been relieved by Jacklyn on 12/24/2020 at approximately 6:20pm. The report indicates that Jacklyn was approximately twenty minutes late for her scheduled shift which started at 6:00pm. The report then indicates that Jacklyn worked her scheduled shift and left early on 12/25/2020 by approximately 10min due to not feeling well. The report indicates that Jacklyn turned over her keys to the medication cart to another employee, Susan Counselman and then left for the day, not completing an inventory count of the narcotics portion of her medication cart which is company policy.

On 12/25/2020 at 6:00am Jacklyn's relief, Gretchen Cousens RN, arrived for her scheduled shift at 6:00am and began her work duties. Due to Jacklyn not being there she was unable to take report from her and a count of the medication drawer was not conducted. In reviewing charts for her assigned patients she observed that one such patient, Constance Cook, had a new order for Oxycodone 5mg. When Gretchen checked the narc drawer of her med cart and observed that the indicated pills were not there. At shift change when Gretchen was providing report and a count of her narc drawer and when it was determined that the above mentioned medication was missing and simply not yet delivered, Tammy Wright the Director of Nursing was notified of the missing medication as per their company policy.

Reporting Officer(s):

Anderberg, Michael

Payroll Number :

529

Pages:

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City of Delavan Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

20-028164

905 E Geneva St, Delavan, WI, 53115

12/28/2020

As a result of the reported missing medication A formal investigation was started and all parties that may have had access to the prescription medications that were found to be missing were ordered to take an immediate drug screen at Mercy Walworth. I was informed by Laura that all employees complied with this order with the exception of Jacklyn who she had not yet heard back from as far as whether or not she had taken the test.

Contact with Jacklyn Dionysius:

I then made contact with Jacklyn Dionysius and informed her that I was looking into medication that had gone missing from Delavan Health Services. Jacklyn stated that she had been working the night of 12/24/21 and was aware that it appeared medication had been missing. Jacklyn stated that when the missing medication had been noticed that she had not notified anyone stating that it wasn't a big deal and that it happens frequently. Jacklyn stated that when she began her shift that she had relieved a coworker, Karisnma, who she stated was also aware that the medication was missing and that it may have not yet actually been delivered. Jacklyn also stated that she had left early the following morning of the same shift due to not feeling well. Jacklyn stated that she did not know where the medication was and that she did not take it.

Contact with Karisnma Macias:

I made phone contact with Karisnma Macias via phone with contact information provided to me by Laura. I informed Karisnma that I was conducting an investigation as a result of Delavan Health Services investigation alleging medication had been taken. Karisnma stated that she had worked the morning of 12/24/2020 and during her shift had given a patient in her care, Constance Cook, a dose of a newly received Oxycodone prescription that she had retrieved from her locked medication cart. Karisnma states that she went on through her day and when it was time to give report to her relief, Jacklyn was late for her scheduled shift. Karisnma stated to me that she informed Jacklyn that Constance had gotten a new prescription for Oxycodone and that she may be due for another dose in a short amount of time. Karisnma reports that she and Jacklyn then completed the inventory count of the narcotic drawer that was assigned to them in their med cart and then she turned over the keys to Jacklyn. Karisnma states that she then left for the day and that last she knew that the reported medication that had been later determined to be missing, was still there when she left for the day. Karisnma states that she did not take any medication from the cart.

Contact with Laura Holmstrom:

I again spoke with Laura Holmstrom who provided me with a copy of Delavan Health Services Medication handling policy which indicates that in the event that medication is unaccounted for that the Director of Nursing shall be contacted. Laura indicates that this was not done until the following shift after Jacklyn had left for the day on 12/25. Laura informed me that Jacklyn has still not complied

Reporting Officer(s):

Anderberg, Michael

Payroll Number:

529

Pages:

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City of Delavan Police Department

Continuation

Incident Report Number

20-028164

Incident Location:

905 E Geneva St, Delavan, WI, 53115

Incident Date:

12/28/2020

with the requested drug screening.

Officer Actions:

Since my initial contact with Jacklyn I have called numerous times and left messages for her to contact me back as to ask follow up questions as her statement is contradicted by Karisnma and company policy. As of 03/04/21 I placed one final call to Jacklyn and have not received an response. I contacted Laura Holmstrom and informed her that I intended on closing the case and forwarding the report to the Walworth County DA's office for review. Laura informed me that Jakclyn has since been terminated and has also not responded to any of her communication attempts. Laura stated that Jacklyn still had not complied with the requested drug screen as all other employees had. The above report has been forwarded to the Walworth County DA's office as an opinion for theft.

EOR///OFC M. Anderberg, 3415
City of Delavan Police Department

Reporting Officer(s):

Anderberg, Michael

Payroll Number:

529

Pages:

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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : DLSC Case No. 21 NUR 006
JACLYN K. DIONYSIUS, R.N., :
RESPONDENT. :

ORDER OF SUMMARY SUSPENSION

The Petition for Summary Suspension of the license of Jaclyn K. Dionysius, R.N., to practice as a registered nurse, dated May 3, 2021, was noticed to be presented to the Wisconsin Board of Nursing (Board) at 8:00 a.m., or as soon thereafter as the matter could be heard, on May 13, 2021. At that time, Attorney Carley J. Peich Kiesling appeared for the Petitioner, Department of Safety and Professional Services, Division of Legal Services and Compliance. [Respondent appeared in person and without counsel.] [Respondent appeared in person as did Respondent's attorney _____.]

The Board, having considered the sworn Petition for Summary Suspension; the Affidavit of Carley Peich Kiesling and attached exhibits, and the Affidavit of Shannon Wagner, as evidence; the Affidavit of Service of Steve Engelbrecht, certifying that a true and accurate copy of the Notice of Presentation of Petition for Summary Suspension, Petition for Summary Suspension and Affidavits of Carley Peich Kiesling and Shannon Wagner were sent via certified and regular U.S. Mail, as well as by electronic mail, to Respondent on May 3, 2021; and having heard the arguments of counsel, hereby makes the following:

FINDINGS OF FACT

1. Respondent Jaclyn K. Dionysius, R.N., (DOB: xx-xx-1983) is licensed in the state of Wisconsin to practice as a registered nurse, having license number 233911-30, first issued on February 20, 2017, and current through February 28, 2022.
2. Respondent's most recent address on file with the Department is 1256 Fisher Road, South Beloit, Illinois 61080.
3. Respondent was also licensed in Illinois to practice as a registered nurse, having license number 041436434, first issued on November 4, 2015.
4. In 2018, the Illinois Department of Financial and Professional Regulation (IL Department) opened an investigation based on a complaint that a pre-employment urine drug screen (UDS) submitted by Respondent on August 17, 2018, tested positive for lorazepam, for which Respondent did not have a prescription.

5. Respondent failed to cooperate with the IL Department's investigation, failed to answer the complaint, and failed to show up at scheduled hearings.

6. On December 12, 2019, Respondent's Illinois license was suspended by the IL Department for engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public, pursuant to 225 ILCS 65/70-5(b)(7) and violating 68 Ill. Admin. Code 1300/*et seq.* ("Nurse Practice Act").

7. Respondent renewed her Wisconsin license on February 25, 2020.

8. Respondent did not report the suspension of her Illinois license when she renewed her Wisconsin license on February 25, 2020, or at any other time.

9. On November 3, 2020, Respondent began work as a registered nurse at Delavan Health Services in Delavan, Wisconsin (Facility).

10. The Facility initiated an investigation on December 26, 2020, after it was discovered that fifteen pages from the Facility narcotic books were missing, with each page containing one to thirty narcotics.

11. As part of its investigation, the Facility audited narcotic books for the prior two years and found no missing pages until after Respondent started working at the Facility.

12. Based on its investigation, the Facility concluded that Respondent diverted narcotics on December 24 and 25, 2020. Specifically, the Facility concluded that on December 24, 2020, Respondent took a narcotic book and sixty (60) Percocet and started a new narcotic book to cover her diversion, and that on December 25, 2020, she took a card of eighteen (18) Oxycodone tablets.

13. On December 26, 2020, Respondent was asked by the Facility to submit to a UDS at Mercy Walworth Hospital. Initially, Respondent agreed to do so. However, the Hospital subsequently reported they had no record of a urine sample from Respondent. Respondent claimed that she went to the Hospital but that they did not give her any paperwork and must have lost her sample.

14. The Facility noted that two other nurses were asked to give urine samples on the same date and had been given a carbon copy of their results immediately. Both of those nurses' UDS results were negative. Based on this information, the Facility considered Respondent to have refused the UDS and her employment was terminated.

15. Respondent did not report the suspension of her Illinois license to the Facility when she was hired. When the Facility asked Respondent about the suspension of her Illinois license during their investigation, she stated that she had never been in trouble and that it must be a mistake.

16. The Facility contacted the Delavan Police Department and an officer interviewed Respondent on December 28, 2020, at which time she denied diverting the narcotics. Between December 28, 2020, and March 4, 2021, the officer called Respondent numerous times to follow-

up and left voicemails, but she never called him back. Charges of theft were referred to the Walworth County District Attorney's Office.

17. On January 11, 2021, the Department received a complaint regarding Respondent's diversion at the Facility, which was assigned case number 21 NUR 006.

18. On January 15 and January 26, 2021, the Division of Legal Services and Compliance (Division) sent an email to Respondent at her email address on file with the Department (jaxrn777@gmail.com) requesting a response to the complaint. Respondent did not respond.

19. On February 3, 2021, the Division sent a letter to Respondent at her mailing address on file with the Department (1256 Fisher Road, South Beloit, Illinois 61080) requesting her response to the complaint. Respondent did not respond.

20. On February 19, 2021, a Division investigator attempted to call Respondent at the phone number on file with the Department (815-871-8879); however, the phone number was disconnected. Another request for her response was sent to Respondent at her email address on file with the Department (jaxrn777@gmail.com) on the same date.

21. On April 1, 2021, a Division investigator called Respondent using a phone number found on the police report (815-713-7175) and spoke with Respondent. Respondent claimed she had not received any of the Division's prior requests but did confirm that the address on file with the Department is her correct address. Respondent said she would call the investigator back later that day but never did.

22. On April 5, 2021, a Division investigator called Respondent again using the phone number found on the police report (815-713-7175) and left a voicemail. Respondent did not respond.

23. By the conduct described in paragraphs 3-6 above, Respondent was noncompliant with federal, jurisdictional, or reporting requirements by having a license to practice nursing or a nurse licensure compact privilege to practice denied, revoked, suspended, limited, or having the credential holder otherwise disciplined in another state, territory, or country, within the meaning of Wisconsin Admin. Code § N 7.03(1)(b).

24. By the conduct described in paragraphs 18-22 above, Respondent was noncompliant with federal, jurisdictional, or reporting requirements by, after a request of the board, failing to cooperate in a timely manner, with the board's investigation of a complaint filed against a license holder, within the meaning of Wisconsin Admin. Code § N 7.03(1)(c).

25. By the conduct described in paragraphs 9-14 above, Respondent violated laws substantially related to the practice of nursing, within the meaning of Wis. Admin. Code § N 7.03(2).

26. By the conduct described in paragraphs 9-14 above, Respondent engaged in fraud, deception or misrepresentation by falsifying or inappropriately altering reports, patient documentation, agency records, or other health documents, within the meaning of Wisconsin Admin. Code § N 7.03(5)(a).

27. By the conduct described in paragraphs 9-14 above, Respondent engaged in unsafe practice or substandard care by departing from or failing to conform to the minimal standards of acceptable nursing practice that may create unnecessary risk or danger to a patient's life, health, or safety, within the meaning of Wis. Admin. Code § N 7.03(6)(c).

28. By the conduct described in paragraphs 9-14 above, Respondent engaged in unsafe practice or substandard care by practicing nursing while under the influence of alcohol, illicit drugs, or while impaired by the use of legitimately prescribed pharmacological agents or medications, within the meaning of Wis. Admin. Code § N 7.03(6)(e).

29. By the conduct described in paragraphs 9-14 above, Respondent engaged in improper prescribing, dispensing, or administering medication or drug related offenses by obtaining, possessing or attempting to obtain or possess a drug without lawful authority, within the meaning of Wis. Admin. Code § N 7.03(8)(e).

30. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b)(c) and (d).

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Wis. Stat. § 441.07 and has authority to summarily suspend the license of Respondent Jaclyn K. Dionysius, R.N., to practice as a registered nurse in the state of Wisconsin, pursuant to Wis. Stat. § 227.51(3) and Wis. Admin. Code ch. SPS 6.

2. Proper and sufficient notice of the Petition for Summary Suspension was provided to Respondent as required by Wis. Admin. Code § SPS 6.05.

3. Based on the sworn Petition and Affidavits of Carley Peich Kiesling and Shannon Wagner, there is probable cause to believe that unprofessional conduct has occurred as set forth in the Findings of Fact and it is imperatively necessary to suspend the license of Respondent Jaclyn K. Dionysius, R.N., immediately to protect the public health, safety or welfare.

ORDER

1. The license of Respondent Jaclyn Dionysius, R.N., to practice as a registered nurse in the state of Wisconsin is summarily suspended until the effective date of a final decision and order issued in the disciplinary proceeding against Respondent, unless otherwise ordered by the Board.

2. A formal complaint alleging that Respondent has committed unprofessional conduct as set forth above shall be filed with the Division of Hearings and Appeals within 10 days of the date of this Order.

3. Respondent is hereby notified of her right, pursuant to Wis. Admin. Code § SPS 6.09, to request a hearing to show cause why this summary suspension order should not be continued and is further notified that any request for a hearing to show cause should be filed with the Wisconsin Board of Nursing, 4822 Madison Yards Way, Post Office Box 8366, Madison, Wisconsin 53708-8366.

4. In the event that Respondent requests a hearing to show cause why the summary suspension should not be continued, that hearing shall be scheduled to be heard on a date within 20 days of receipt by the Board of Respondent's request for hearing, unless Respondent requests or agrees to a later time for the hearing.

WISCONSIN BOARD OF NURSING

By: _____
A Member of the Board

Date _____

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Joan Gage		2) Date When Request Submitted: 5/3/2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: 5/13/2021	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? 1) Herzing University – Request for Authorization to Plan a School of Nursing	
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 (<u>Fill out Board Appearance Request</u>) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: <p style="text-align: center;">Request for Authorization to Plan a School of Nursing School</p> <p>Dina Hewett, Ph.D., RN, NEA-BC Associate Dean of Nursing Operations Herzing University</p>			
11) Authorization Signature of person making this request Date 5/3/21 <hr/> Supervisor (if required) Date <hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

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



March 8, 2021

Wisconsin Board of Nursing
P.O. Box 8366
Madison, WI 53708-8366
dspsexaminationsoffice@wisconsin.gov

RE: Herzing University Madison – Application for Authorization to Plan a School of Nursing

Greetings,

Please accept this Application for Authorization to Plan a Practical Nursing program at Herzing University – Madison. Each item for authorization to plan a school of nursing is addressed as outlined in Form #3025.

We look forward to your feedback.

Best regards,

Dina Hewett

Dina Hewett, Ph.D., RN, NEA-BC
Associate Dean of Nursing Operations
Herzing University
dhewett@herzing.edu

Wisconsin Department of Safety and Professional Services

Mail To: P.O. Box 8366
Madison, WI 53705-8366

FAX #: (608) 266-2602
Phone #: (608) 266-2112

4822 Madison Yards Way
Madison, WI 53705
E-Mail: web@dsps.wi.gov
Website: <http://dsps.wi.gov>

BOARD OF NURSING

APPLICATION FOR AUTHORIZATION TO PLAN A SCHOOL OF NURSING

Wis. Admin. Code Chapter N 1.03 requires an institution planning to establish and conduct a school of nursing for professional nursing or practical nursing to submit an application including all of the following to the Board:

- (1) Name and address of controlling institution and evidence of accreditation status of controlling institution.
- (2) Statement of intent to establish a school of nursing, including the academic and licensure levels of all programs to be offered and the primary method of instruction.
- (3) Evidence of the availability of sufficient clinical facilities and resources.
- (4) Plans to recruit and employ a qualified educational administrator and qualified faculty.
- (5) Proposed timeline for planning and implementing the school and intended date of entry of the first class.

The Board shall make a decision on the application within two months of receipt of the completed application and will notify the controlling institution of the action taken on the application.

To apply, please submit the following to dspsexaminationoffice@wisconsin.gov:

- (1) This completed and signed application form.
- (2) A written proposal addressing the five items above.

Institution applying for authorization to plan a nursing school:

Name of School: Herzing University - Madison

Address: 5218 E Terrace Drive

Madison, WI 53718

Nursing Program(s) (ADN, BSN, Other): LPN

Dina Hewett, Ph.D., RN, NEA-BC

Name of School Representative Submitting Proposal
Dina M Hewett, Ph.D., RN, NEA-BC
Digitally signed by Dina M Hewett, Ph.D.,
RN, NEA-BC
Date: 2021.03.09 08:46:53 -06'00'

Signature

(770) 503-5188

Telephone Number

Associate Dean Of Nursing Operations

Title

March 8, 2021

Date

dhewette@herzing.edu

Email Address

- (1) Name and address of controlling institution and evidence of accreditation status of controlling institution.

The Herzing University Madison campus is located at:
5218 East Terrace St.
Madison, Wisconsin 53718

Herzing University is accredited by the Higher Learning Commission. Evidence of accreditation is attached in **Appendix A**.

- (2) Statement of intent to establish a school of nursing, including the academic and licensure levels of all programs to be offered and the primary method of instruction.

The Herzing University Madison location is fully approved by the Wisconsin Board of Nursing and currently provides education at the BSN level. We intend to establish a Licensed Practice Nursing program with a projected start of Fall semester – September 8, 2021. The primary method of instruction is on-ground with a hybrid approach pending changes in social distancing restriction due to the Covid-19 pandemic. Students will complete lab-based content on campus in a general skills lab as well as a high-fidelity simulation lab.

- (3) Evidence of the availability of sufficient clinical facilities and resources.

Clinical sites for practical nursing students are available at several locations within the Madison/Dane county areas. A list of currently clinical facility agreements is attached in **Appendix B**. Further, high-fidelity simulation is available on campus and at the regional simulation center for pediatric and obstetrical activities.

- (4) Plans to recruit and employ a qualified educational administrator and qualified faculty.

Program leadership transition is occurring now as Dr. Ann Lyles transitions to the Herzing University Tampa location. Effective March 22, 2021, Tina Dorau, MSN, RN, CRRN, CNE, CHSE will assume the program chair position at Herzing University Madison. There are currently sufficient nursing faculty who are educationally prepared at the MSN level and qualified to teach in the LPN program.

- (5) Proposed timeline for planning and implementing the school and intended date of entry of the first class.

Planning for the LPN program began in January 2021 and continues. The intended date of entry of the first class is fall semester, September 8, 2021.



Statement of Accreditation Status

as of March 9, 2021

Herzing University

5218 E. Terrace Drive

Madison, WI 53718

(414) 271-8103

www.herzing.edu

**Previous names: Herzing College to Herzing University (2009)*

The information on this page describes the accreditation relationship between this institution and the Higher Learning Commission. General information about the Commission and the accreditation process is provided at the end of this document. In addition, links to definitions are provided for many of the terms used.

Accreditation Information

Current status: Accredited

Candidacy date(s): 10/18/2002 - 10/13/2004
Accreditation granted: 10/14/2004

Most recent reaffirmation of accreditation: 2015 - 2016

- [Action Letter \(PDF\)](#)

Next reaffirmation of accreditation: 2025 - 2026

Upcoming or In-Progress Reviews

Date	Event	Description
2025 - 2026:	Comprehensive Evaluation	

Most Recent History with the Commission

Date	Event	Description
01/26/2021:	Comprehensive Evaluation	Review Completed
08/15/2016:	Comprehensive Evaluation	Interim Report Requested
03/22/2016:	Focused Visit	Accepted
03/24/2014:	Focused Visit	Accepted
04/18/2011:	Focused Evaluations - Mandated	
08/28/2009:	Comprehensive Evaluations - Approved for Continued Accreditation	
10/23/2007:	Focused Evaluations - Commission Mandated	

General Institutional Information

This section provides brief, general information about the institution's organization and scope. The information is self-reported by the institution through the annual Institutional Update to the Commission. Additional information can be found at nces.ed.gov/collegenavigator/ or on the institution's web site noted above.

Control: Private NFP

Degree programs (number in each category): Associates (45), Bachelors (17), Masters (2)

Certificate programs (number offered): 18

Off-Campus Activities (This listing was last updated: 07/01/2020; the information may not be current.) The institution's accreditation includes courses and programs at:

Location	Campuses	Additional Locations
In-State:	Main Campus - Madison, WI;	Brookfield Campus of Herzing University - Brookfield, WI; Kenosha Campus of Herzing University - Kenosha, WI; Herzing University - Kenosha - Kenosha, WI;
Out-of-State:	None.	Akron Campus of Herzing University - Akron, OH; Atlanta Campus of Herzing University - Atlanta, GA; Birmingham Campus of Herzing University - Birmingham, AL; Arabia Mountain High School - Lithonia, GA; New Orleans Campus of Herzing University - Metairie, LA; Herzing University - St. Louis Park, MN; Herzing University - Tampa - Tampa, FL; Orlando Campus of Herzing University - Winter Park, FL;
Out-of-U.S.:	None.	None.

About HLC and Accreditation

The Higher Learning Commission (HLC) is a regional accreditation agency that accredits degree-granting colleges and universities that are based in a [19-state region](#) of the United States.

Regional accreditation validates the quality of an institution as a whole and evaluates multiple aspects of an institution, including its academic offerings, governance and administration, mission, finances, and resources. HLC's institutional accreditation includes all degree levels as well as onsite and online offerings. Institutions of higher education in the United States may also seek accreditation through national or specialized accreditation agencies. National accreditation associations, like regional accreditors, accredit the institution as a whole. Specialized accreditation agencies accredit programs, departments or schools within a college or university.

Regional accreditation agencies are recognized by the U.S. Department of Education to accredit degree-granting colleges and universities. There are six regions of the United States which regional agencies oversee. The regional accreditation agencies have similar standards for accrediting colleges and universities.

Institutions that HLC accredits are evaluated against its [Criteria for Accreditation](#), a set of standards that institutions must meet to receive and/or maintain accredited status.

HLC's Criteria for Accreditation reflect a set of [guiding values](#). The accreditation process is based on a system of [peer review](#). Approximately 1,600 educators from institutions of higher education serve as HLC peer reviewers conducting accreditation evaluations for other institutions. Peer reviewers also serve on committees that make up the [decision-making bodies](#) of the accreditation process.

Evaluation Process



HLC accreditation assures quality by verifying that an institution (1) meets standards and (2) is engaged in continuous improvement. In addition, all institutions are required to complete an annual filing of the [Institutional Update](#), undergo annual monitoring of [financial and non-financial indicators](#), and adhere to HLC policies and practices on [institutional change](#).

Peer reviewers trained in HLC's standards evaluate institutions' demonstration of whether they meet the Criteria for Accreditation and make recommendations to HLC's decision-making bodies.

Institutional Actions Council (Decision-Making Body)



The Board of Trustees appoints and authorizes members of the [Institutional Actions Council \(IAC\)](#) to conduct reviews and take actions on the majority of accreditation recommendations. IAC members consist of representatives of academic institutions accredited by HLC, as well as members of the public. Detailed information on IAC processes is found in HLC's [policies on decision-making](#).

Public Information



In the interest of being transparent, HLC is committed to providing information to the public regarding accreditation decisions made regarding individual institutions.

[Actions](#) that are taken by HLC regarding an institution’s accreditation status are disclosed to the public. Since July 2013, in all cases of issuing continued accreditation, placing an institution on or resolving a sanction, or withdrawing accreditation, the Action Letter issued to the institution is made available for viewing and the institution’s status in HLC’s [online directory](#) is updated. [Public Disclosure Notices](#) are also issued in cases of sanction and other HLC actions to provide the public insight into the issues regarding that institution.

Complaints Against HLC-Accredited Institutions



HLC allows faculty, students, and other parties to submit formal complaints regarding an HLC-affiliated institution through its [complaints process](#). As stated in [HLC policy](#), the complaints process is designed to enable HLC to review, in a timely and fair manner, information that suggests potential substantive non-compliance with an institution’s ability to meet the Criteria for Accreditation or other HLC requirements.

© Higher Learning Commission

230 South LaSalle Street, Suite 7-500, Chicago, IL 60604

info@hlcommission.org 800.621.7440 / 312.263.0456

Sites	Address	Type of Facility	Contact	Contract Expiration
Attic Angel Place	8301 Old Sauk Road, Madison, WI 53562	Assisted Living	Sheila Schultz	Automatic Renewal
Belmont Nursing & Rehab Center	110 Belmont Rd, Madison, WI 53714	Residential Acute rehabilitation	Alyssa Luize	Automatic Renewal
Middleton Village Nursing and Rehab	6201 Elwood Ave., Middleton, WI 53562	Residential Acute rehabilitation	Kara Saks	Automatic Renewal
Oak Park Place	718 Jupiter Dr., Madison, WI 53718	Residential Acute rehabilitation	Kayla Weber	Automatic Renewal
Select Specialty Hospital	801 Braxton Place, Madison, WI 53715	High observation unit Pulmonary Dialysis Wound Care	Alicia Rau Jean Beaudette, RN, BSN, MA, NEA-BC	Automatic Renewal
UW Rehabilitation Center/Kindred (Kindred Rehab)	5115 North Biltmore Lane	Acute Rehab	Chrissy Clemens	Automatic Renewal
St. Mary's Care Center	3401 Maple Grove Dr., Madison, WI 53719	Residential Acute rehabilitation	John Galweski	Automatic Renewal

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Janie Brischke, Program Policy Analyst Advanced		2) Date when request submitted: April 30, 2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: May 13, 2021	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Board of Nursing – Division of Legal Services and Compliance Annual Report/January 1, 2020 – December 31, 2020	
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: The Board of Nursing requested an Annual Report for 2020 from DLSC. The report is being submitted for approval by the Board.			
11) Authorization			
Janie Brischke / April 30, 2021			
Signature of person making this request			Date
Supervisor (if required)			Date
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

BOARD OF NURSING

**DIVISION OF LEGAL SERVICES AND COMPLIANCE
ANNUAL REPORT
JANUARY 1, 2020 – DECEMBER 31, 2020**



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

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

The following briefly summarizes the responsibilities of these positions:

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

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

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

Screening

Once a complaint is received, it is routed to an attorney screener for review. The attorney screener determines if the complaint should be opened immediately, closed immediately or if the complaint should go to the entire BON screening panel. The BON screening panel consists of board members (nurse professionals and public members) as well as a DLSC prosecuting attorney. The BON screening panel brings together the professional expertise of the board with the legal expertise of the DLSC attorney.

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

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

Investigation

When a case is opened for investigation, a case advisor will be assigned, along with a DLSC attorney, investigator, and paralegal. At the conclusion of the investigation, DLSC staff will submit findings of the investigation to the case advisor, a member of the Board that provides professional expertise on the licensee's alleged misconduct. If the evidence is insufficient to prove a violation or there are other legal reasons not to pursue prosecution, the case advisor and the DLSC prosecuting attorney will determine the specific basis for closing the case.

Legal Action

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

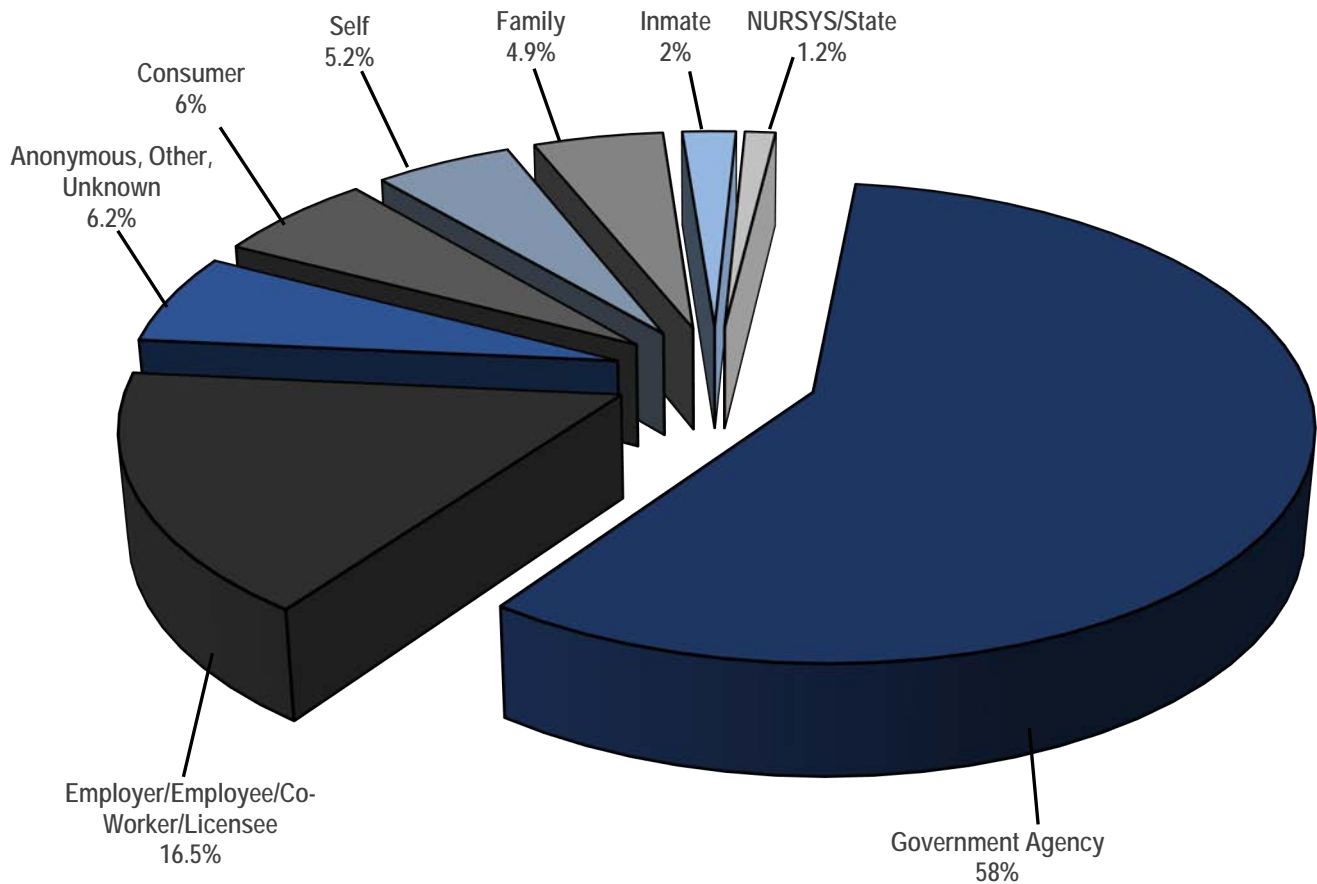
When formal discipline is warranted, the case advisor and DLSC legal staff will determine appropriate discipline and make specific recommendations to the BON for case resolution. Disciplinary action may be agreed to by the respondent in a stipulation, or, if an agreement cannot be reached, discipline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

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

SOURCES OF COMPLAINTS RECEIVED

Data from January 1, 2020 to December 31, 2020

The Board of Nursing (BON) received 622 complaints in 2020. There are multiple ways in which the BON may receive a complaint. Below is a graphical representation of the sources of the complaints received in 2020. It is important to note that a complaint may be received in one year however, due to the nature or course of the investigation, may not be resolved until the subsequent year(s).



Note:

Government Agency includes: Federal, State (Wisconsin Department of Health Services*, Wisconsin Department of Safety & Professional Services/Board of Nursing/Medical Examining Board), County, Police

NURSYS/State is a database of nurses on the National Council of State Boards of Nursing (NCSBN) registry. NURSYS generates Discipline Speed Memos to each state that has issued a license to all nurses that have been disciplined providing information to the remote states about disciplinary action.

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

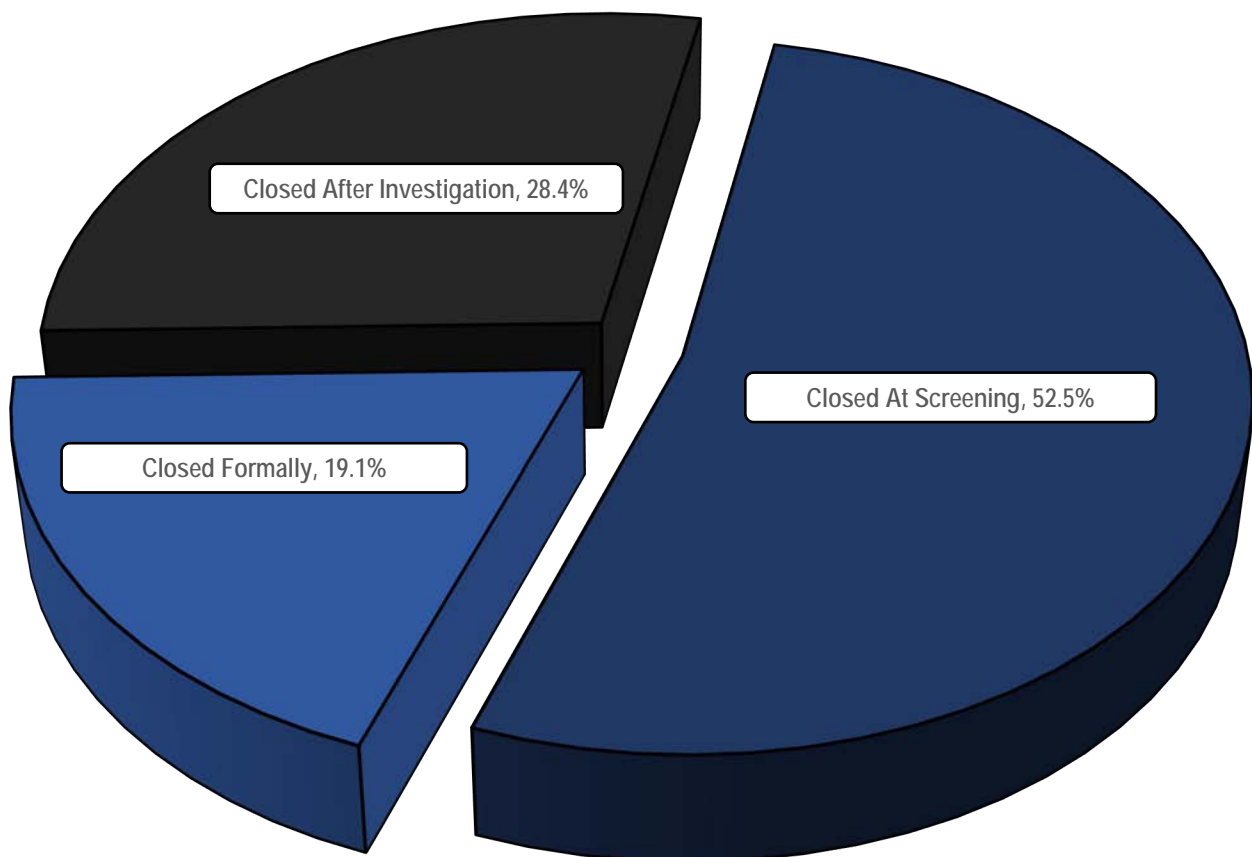
WHEN ARE COMPLAINTS OR CASES (RESPONDENTS) CLOSED?

Data from January 1, 2020 to December 31, 2020

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

- ➔ The prescreening attorney or screening panel determines that an investigation is not warranted.
- ➔ After investigation when the BON case advisor, in conjunction with DLSC professionals, determines that the matter does not warrant professional discipline. Cases (respondents) may close with the following: Prosecutorial Discretion, Administrative Warning, Letter of Education, Lack of Jurisdiction, No Violation, Administrative Closure.
- ➔ After the BON issues a formal disciplinary order. (refer to disciplinary options on page 3)

Note: The following is a graphical representation of how complaints or cases (respondents) were closed in 2020. It is important to note that cases closed in 2020 may have been received in previous years.



MONITORING

As part of its role in protecting the public, the BON may direct the DLSC to monitor a licensee's compliance with a Final Decision and Order or Order Granting a Limited License. As of April 2021, [397](#) nurse professionals (Advanced Practice Nurse Prescriber, Registered Nurse, Licensed Practical Nurse, and Nurse – Midwife) are actively being monitored as a result of a disciplinary order.

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

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

- **Education:** The licensee is required to take continuing education in a specific topic (could be remedial or disciplinary).
- **Exam:** The licensee is required to take and pass an examination.
- **Impairment:** The licensee is suspended for a period (ordinarily five years), with the possibility of a stay of suspension that allows the licensee to practice if the licensee remains in compliance with the Order. The licensee must undergo random drug screens, attend AA/NA meetings, enter treatment, submit self-reports, and arrange for therapy and work reports.
- **Limitations:** Conditions and requirements upon the credential holder, or restrictions on the scope of the holder's practice, or both.
- **Mentor:** The licensee is required to have a professional mentor who provides practice consultations and evaluations as specified by the Order.
- **Reports:** The licensee is required to have reports submitted by a third-party (therapist, supervisor, probation officer, etc.).
- **Revocation:** (where costs are assessed): The licensee must return their license to the Department and is prohibited from practice in the State of Wisconsin but must still pay the costs of the proceeding. If the credential holder reapplies for licensure, the BON may grant the license with or without conditions.
- **Suspension:** A licensee is suspended from practice for a set period of time or indefinitely. Some suspensions may be stayed under specific conditions.
- **Voluntary Surrender:** (where costs are assessed): The licensee surrenders the registration and/or license but must still pay the costs of the proceeding. The licensee is prohibited from practice in the State of Wisconsin. If the person reapplies for licensure, the BON may grant the license with or without conditions. Some Orders prohibit the licensee from seeking reinstatement/reapplying after surrendering.

PROFESSIONAL ASSISTANCE PROCEDURE (PAP)

PAP is a program for impaired professionals that encourages individuals to seek help for their impairment through a non-disciplinary contract. As of April 2021, there are **33** nurse professionals (Advanced Practice Nurse Prescriber, Registered Nurse, Licensed Practical Nurse, and Nurse – Midwife) enrolled in the PAP.

- *In 2020, 8 (Advanced Practice Nurse Prescriber, Registered Nurse, Licensed Practical Nurse, and Nurse-Midwife) enrolled into PAP.*
- *In 2020, 3 nursing participants were successfully discharged and completed their agreement.*
- *In 2020, the PAP had 1 forced discharge due to non-compliance.*

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

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

Why does the BON consider PAP an important tool?

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

SUMMARY OF KEY STATISTICS

Data from January 1, 2020 to December 31, 2020

- Complaints Received: **622**
- Of the 622 BON complaints received in 2020, **1** complaint has not been screened as of April 29, 2021 (going to screening panel on 5/6/21). Of the 621 already screened, **58%** were closed at screening.
- BON Cases/Respondents Resolved (Closed) – (Cases may have been received in the year 2020 or prior years):
 - Cases (respondents) closed formally: **207**
 - Cases (respondents) closed after investigation/informally (without a formal order): **307** [63 of the **307** were **Administrative Warnings**]
 - Cases (respondents) closed at screening: **567**
- Most common discipline issued by the BON: **license limitations, reprimands, and suspensions.**
- Primary sources of complaints: **Government Agencies, Employer/Employee/Co-worker/Licensee, and Consumers.**
- As of April 2021, **397** nurse professionals are actively being monitored as a result of a disciplinary order.
- As of April 2021, **33** nurse professionals are currently enrolled in the Professional Assistance Procedure (PAP).

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Kassandra Walbrun Administrative Rules Coordinator		2) Date when request submitted: 5/3/2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: 5/13/2021	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) EmR 2107 - N1 to N8, Emergency Rule Extension Request 2) Pending and Possible Rulemaking Projects a. Status update of ongoing rule 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:	
10) Describe the issue and action that should be addressed: 1) Extension request to JCRAR due on June 10, 2021. (EmR 2107 pdf) 2) a. Overview of all ongoing rule projects (table)			
Authorization			
<i>Kassandra Walbrun</i>		5/3/2021	
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 RULEMAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : BOARD OF NURSING
BOARD OF NURSING : ADOPTING EMERGENCY RULES

The statement of scope for this rule, SS 014-20, was approved by the Governor on March 27, 2020, published in Register 771B on March 30, 2020, and approved by the Board of Nursing on April 9, 2020.

This emergency rule was approved by the Governor on January 14, 2021.

ORDER

An order of the Board of Nursing to renumber and amend N 2.34; to amend N 1.08 (5m) (b), 2.31 (3), 2.33 (1), 2.35 (2), and 2.40 (3) (d) (intro.); and to create N 1.08 (5m) (c), 2.33 (3), 2.34 (2), 2.40 (3) (e), and 8.10 (8), relating to requirements in emergency situations.

Analysis prepared by the Department of Safety and Professional Services.

FINDING OF EMERGENCY

The continued spread of COVID-19 and its potential for an emergency surge of cases in the near future necessitates having the help of as many skilled nurses and other health care providers as possible. There are, however, requirements in current rules that would make response to an emergency surge of COVID-19 more difficult. An expeditious promulgation of the rule is in the best interest of public welfare, as it will help ensure Wisconsin’s nursing workforce is in the best possible position to respond to COVID-19.

ANALYSIS

Statutes interpreted: Subchapter I of ch. 441, Stats.

Statutory authority: Sections 15.08 (5) (b), 441.01 (3), 441.16 (3), and 441.08, Stats.

Explanation of agency authority:

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 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.”

Section 441.16 (3), Stats., requires the Board to promulgate rules necessary to administer the prescription privileges of nurses, including defining the scope of practice within which an advanced practice nurse may issue prescription orders.

Section 441.08, Stats., provides “[t]he board may promulgate rules limiting the use and duration of temporary permits and providing for revocation of temporary permits.”

Related statute or rule:

Subchapter I of ch. 441, Stats.

Plain language analysis:

The emergency rule will allow the Board to grant a waiver from or variance to the following requirements on a case-by-case basis, if a request for a waiver or variance is made due to a public health crisis, natural disaster, critical nursing workforce shortage, or similar emergency circumstances:

- The requirement under s. N 1.08 (5m) (b) that simulation be utilized for no more than 50% of the time designated for meeting clinical learning requirements.
- The requirement under s. N 2.31 (3) that an application for a temporary permit include an official transcript of nursing education.
- The requirement under s. N 2.33 (1) that the holder of a temporary permit practice only under the direct supervision of a registered nurse.
- The requirement under s. N 2.34 that practice under temporary permits, including renewals, may not exceed 6 months total duration.
- The requirement under s. N 2.40 (3) (d) that a person renewing a nursing credential after 5 years provide documentation of employment requiring a nursing license within the last 5 years or evidence of completion of a board approved nursing refresher course or education equivalent to a nursing refresher course.

The rule will also allow the Board to grant a temporary waiver of the requirement under s. N 8.10 (2) and (7) that an advanced practice nurse prescriber work in a collaborative relationship with at least one physician or dentist and document that relationship. The board may grant a waiver if a public health crisis, natural disaster, critical nursing workforce shortage, or similar emergency circumstances exist or have occurred that are federally declared or declared by the governor of Wisconsin or the governor’s designee, and granting a waiver is necessary to protect the public health, safety, and welfare.

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

None.

Summary of public comments and feedback on the statement of scope and the Board’s responses:

The Board held a public comment period and conducted a public hearing on April 9, 2020. The Board received testimony in support of the statement of scope from Gina Dennik-Champion on behalf of the Wisconsin Nurses Association. The Board also received written comments in support of the statement of scope from the Wisconsin Association of Nurse Anesthetists.

Comparison with rules in adjacent states:

Illinois:

Rules of the Illinois Department of Financial and Professional Regulation regulate the profession of nursing in Illinois (68 Ill. Adm. Code Part 1300). The Secretary of the Department may grant variances from the rules in individual cases when it is determined that:

- the provision from which the variance is granted is not statutorily mandated;
- no party will be injured by the granting of the variance; and
- the rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

The Secretary is required to notify the Illinois Board of Nursing of the granting of the variance, and the reason for granting the variance, at the next meeting of the Board (68 Ill. Adm. Code s. 1300.60).

Iowa:

Rules of the Iowa Board of Nursing regulate the profession of nursing in Illinois (655 IAC chs. 1 to 20). In response to a petition for waiver, the Board may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the Board finds, based on clear and convincing evidence, all of the following:

- The application of the rule would impose an undue hardship on the person for whom the waiver is requested.
- The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person.
- The provisions of the rule subject to the petition for waiver are not specifically mandated by statute or another provision of law.
- Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested (655 IAC 15.4).

Michigan:

Rules of the Michigan Department of Licensing and Regulatory Affairs regulate the profession of nursing in Michigan (Mich Admin Code, R 338.10101 to R 338.10705). The Michigan Board of Nursing may waive the requirement to provide evidence of attendance at educational programs as a condition to license renewal if, upon written application, the Board finds the failure of the licensee to attend was due to the licensee's disability, military service, absence from the continental United States, or a circumstance beyond the control of the licensee which the Board considers good and sufficient (Mich Admin Code, R 338.10601).

Minnesota:

Rules of the Minnesota Board of Nursing regulate the profession of nursing in Minnesota (Minnesota Rules, chs. 6301 to 6321). The Board must waive the requirement for licensure of graduation from an approved nursing program if:

- an applicant has been licensed by another jurisdiction based on requirements equivalent to the qualifications required in Minnesota at the time of the applicant’s original licensure; or
- an applicant for licensed practical nurse licensure has been licensed by another jurisdiction and passed an acceptable examination as specified in subpart 12 and has had at least 4,000 clock hours of employment as a licensed practical nurse in the five years prior to application for licensure in Minnesota (Minnesota Rules, part 6305.0500, subpart 6).

In addition, on presentation of convincing evidence by a registration or reregistration applicant, the Board must grant a variance from the following requirements:

- For a receipt deadline, on presentation of convincing evidence of mail delay.
- For a fee, on presentation of convincing evidence of financial hardship.
- For document submission, on presentation of convincing evidence of loss of records through fire or other disaster.
- For the required number of continuing education contact hours, on presentation of convincing evidence of unexpected illness or personal tragedy (Minnesota Rules, part 6310.2800, subpart 9).

Summary of factual data and analytical methodologies:

In consultation with staff from the Department of Safety and Professional Services, the Board developed an emergency rule that gives it the ability to provide a waiver from or variance to certain requirements in the event of a public health crisis, natural disaster, critical nursing workforce shortage, or similar emergency circumstances.

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

These emergency rules do not impose any new requirements. The purpose of the rules is to give the Board the ability to provide a waiver from or variance to certain requirements in the event of a public health crisis, natural disaster, critical nursing workforce shortage, or similar emergency circumstances, including an emergency surge of COVID-19.

Fiscal estimate:

These emergency rules will not have a fiscal impact.

Effect on small business:

These emergency 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.

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

Comments may be submitted to Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be submitted by the date and time at which the public hearing on these emergency rules is conducted. Information as to the place, date, and time of the public hearing will be published on the Legislature's website and in the Wisconsin Administrative Register.

TEXT OF RULE

SECTION 1. N 1.08 (5m) (b) is amended to read:

N 1.08 (5m) (b) ~~Simulation~~ Except as provided under par. (c), simulation may not be utilized for more than 50% of the time designated for meeting clinical learning requirements.

SECTION 2. N 1.08 (5m) (c) is created to read:

N 1.08 (5m) (c) If requested by a school of nursing due to a public health crisis, natural disaster, critical nursing workforce shortage, or similar emergency circumstances, the board may temporarily allow simulation to be utilized for up to 100% of the time designated for meeting clinical learning requirements. The board shall consider each request under this paragraph individually on its merits, and the board may grant additional utilization of simulation for a period of time deemed necessary by the board to address the emergency circumstances.

SECTION 3. N 2.31 (3) is amended to read:

N 2.31 (3) An official transcript of nursing education submitted by the school of professional nursing or practical nursing directly to the department. If requested by an applicant due to a public health crisis, natural disaster, critical nursing workforce shortage, or similar emergency circumstances, the board may waive the requirement under this subsection. The board shall consider each request for a waiver individually on its merits, and the board may grant a waiver as deemed appropriate.

SECTION 4. N 2.33 (1) is amended to read:

N 2.33 (1) Except as provided ~~in sub.~~ under subs. (2) and (3), the holder of a temporary permit shall practice only under the direct supervision of a registered nurse.

SECTION 5. N 2.33 (3) is created to read:

N 2.33 (3) If requested by an applicant under s. N 2.31 or the holder of a temporary permit and the employer of the applicant or permit holder due to a public health crisis, natural disaster, critical nursing workforce shortage, or similar emergency circumstances, the board may grant a waiver of the requirement under sub. (1). The board shall consider each request for a waiver individually on its merits, and the board may grant a waiver for a period of time deemed necessary by the board to address the emergency circumstances.

SECTION 6. N 2.34 is renumbered N 2.34 (1) and amended to read:

N 2.34 (1) The temporary permit is valid for a period of 3 months or until the holder receives notification of failing the NCLEX, whichever occurs first. ~~Practice~~ Except as provided under sub. (2), practice under temporary permits, including renewals under s. N 2.35, may not exceed 6 months total duration.

SECTION 7. N 2.34 (2) is created to read:

N 2.34 (2) The holder of a temporary permit renewed under s. N 2.35 (2) may practice for the duration of the renewal period established by the board.

SECTION 8. N 2.35 (2) is amended to read:

N 2.35 (2) Subsequent renewals may be granted in hardship cases or emergency circumstances including illness, family illness or death, accident, natural disaster, or delay of verification from another state. The board shall consider each application for renewal under this subsection individually on its merits, and the board may grant a renewal ~~as~~ for a renewal period deemed appropriate necessary by the board to address the hardship or emergency circumstances.

SECTION 9. N 2.40 (3) (d) (intro.) is amended to read:

N 2.40 (3) (d) (intro.) ~~Meet~~ Except as provided under par. (e), meet one of the following requirements:

SECTION 10. N 2.40 (3) (e) is created to read:

N 2.40 (3) (e) If requested by an applicant due to a public health crisis, natural disaster, critical nursing workforce shortage, or similar emergency circumstances, the board may waive the requirements under par. (d). The board shall consider each request for a waiver individually on its merits, and may grant a waiver based on satisfactory evidence that granting renewal of the license would adequately protect public health, safety, and welfare.

SECTION 11. N 8.10 (8) is created to read:

N 8.10 (8) If a public health crisis, natural disaster, critical nursing workforce shortage, or similar emergency circumstances exist or have occurred that are federally declared or declared by the governor of this state or the governor's designee, the board may grant a temporary waiver of the requirements under subs. (2) and (7) if the board determines that granting a waiver is necessary to protect the public health, safety, or welfare. A waiver granted under this subsection shall be for a stated term not to exceed 90 days, except that the board may extend the waiver if it determines that an extension is necessary to protect the public health, safety, or welfare.

SECTION 12. EFFECTIVE DATE. The rules adopted in this order shall take effect upon publication in the official state newspaper, pursuant to s. 227.22 (2) (c), Stats.

(END OF TEXT OF RULE)

Dated 2/1/2021

Agency _____



Peter Kallio
Board Chair
Board of Nursing

Nursing Rules Update – 5/3/2021

Rule Projects - Ongoing

Clearinghouse Rule Number	Scope #	Scope Expiration	Date Scope Requested by Board	Rules Affected	Relating Clause	Synopsis	Stage of Rule Process
21-009	134-20	4/19/2023	7/9/2020	N 1	Clinical learning experiences	Comprehensive review of N 1, which will include evaluating how effectively simulation-based clinical learning is being utilized in schools of nursing and considering other models for clinical learning that are being developed.	14. Final rule and legislative report submitted to Governor's Office, 3/1/21.
20-069	014-20	9/30/2022	3/25/2020	N 1 to 8	Requirements in emergency situations	Comprehensive review of the Board's rules with the objective of establishing waivers and alternate requirements that the Board may utilize to respond to emergency situations.	14. Final rule and legislative report submitted to Governor's Office, 1/12/21.
	162-20	6/28/2023	10/8/2020	N 2	Reciprocal credentials for service members, former service members, and their spouses	Act 143 implementation	09. EIA comment period completed on 3/11/21, finalizing EIA.
			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.	03. Scope submitted to Governor's Office on 10/15/20
20-065	047-19	11/11/2021	3/15/2019	N 4	Licensure of nurse midwives	Comprehensive review of N4 for statutory compliance and current standards. Addresses 2 items identified in the BON 2019 Biennial Report.	14. Final rule and legislative report submitted to Governor's Office, 1/12/21.

Nursing Rules Update – 4/8/2021

Rule Projects - Ongoing

Clearinghouse Rule Number	Scope #	Scope Expiration	Date Scope Requested by Board	Rules Affected	Relating Clause	Synopsis	Stage of Rule Process
			10/8/2020	N 8	APNP prescribing limitations	Review of limitations in N8 regarding APNPs prescribing certain drugs.	03. 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.	03. Scope submitted to Governor’s Office, 10/15/20.

Emergency Rules

EMR Number	Rules Affected	Rule	Stage of Rule Process	Brief Synopsis of Rule	Stage Details
EmR2107	N 1 to 8	Requirements in emergency situations	16. Public hearing held.	Comprehensive review with the objective of establishing waivers and alternate requirements that the Board may utilize to respond to emergency situations.	GORC approved 1/14/21, Effective until 7/11/2021. First extension due to JCRAR by June 10, 2021.
	N 2	Temporary permits	08. Drafting Rule/EIA Preparation	Rule to examine extending the duration of temporary permits and establishes criteria to enable the holder of a temporary permit to practice without direct supervision. [Board will not pursue emergency rule -Board decision 04/8/2021]	Emergency rule scope approved by Governor on 1/14/21 (SS 015-21) Does not include permanent rule scope.

**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. on behalf of Christine Poleski, Executive Director		2) Date when request submitted: 5/4/2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: 5/13/2021	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislative and Policy 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 required: N/A	
10) Describe the issue and action that should be addressed: See attached letter.			
11) Authorization			
<i>Kimberly Wood</i>		5/4/2021	
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.			

Peter Kallio
Chairperson

Lisa Pisney
Vice Chairperson

Rosemary Dolatowski
Secretary

WISCONSIN BOARD OF NURSING



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

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

April 20, 2021

To: Senator Felzkowski and Representative Magnafici

Re: Opposition to SB 169/AB 166 Relating to Temporary Practice by Registered Nurses at Summer Camps

On April 8, 2021, the Wisconsin Board of Nursing voted to express our opposition to SB 169/AB 166 in the bills' current form as of that date. The Board opposes the practice of nursing in Wisconsin by individuals who do not hold either a nursing license of some form granted by the Wisconsin Board of Nursing or a multi-state practice privilege with the national Nurse Licensure Compact, or who are not in compliance with the temporary practice provisions of 2021 Act 10 and the Governor's Emergency Order #2.

The Wisconsin Board of Nursing is charged with protecting the public's health, safety, and welfare. The Board's opposition to these bills in current form is in line with the Board's public protection mission.

The Board acknowledges that the bills include language attempting to ensure the out of state nurse has home state licensing requirements on par with Wisconsin licensed nurses. The bill language does give the Wisconsin Board of Nursing the authority to establish a form for out of state nurses to submit to our Board, but the bills give the Board no authority to approve or deny anyone's practice in Wisconsin based on any details submitted on that completed form. Further, the bills give the Board no authority or means to enforce Wisconsin's rules of professional conduct against nurses practicing under their provisions.

Out-of-state nurses licensed in any of the 34 member states of the Nurse Licensure Compact can already practice in Wisconsin under their compact licenses. Nurses from other jurisdictions with licenses in good standing can also apply for licensure by endorsement. A blanket temporary practice privilege extended to a nurse licensed in any state without a credential to impose discipline against is not only concerning in terms of public health, safety, and welfare, but also creates a disparity between compact nurses who *would* be subject to discipline and non-compact nurses who would *not*.

In summary, the Wisconsin Board of Nursing is opposed to the current language of SB 169/AB 166. The Board certainly welcomes any discussion on amending the bills to address our Board's concerns.


Sincerely,

A handwritten signature in black ink, appearing to read "Peter Kallio", written over a light blue horizontal line.

Peter Kallio, Chairperson
on behalf of the Wisconsin Board of Nursing

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Samantha Lange		2) Date when request submitted: 5/5/2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>																																																																												
3) Name of Board, Committee, Council, Sections: Board of Nursing																																																																														
4) Meeting Date: 5/13/2021	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Credentialing Statistics & License Counts																																																																												
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:																																																																												
10) Describe the issue and action that should be addressed: EO2 counts for April 2021 to date: APNP = 24 LPN = 1 RN = 20																																																																														
																																																																														
<u>CREDENTIALS ISSUED BY MONTH</u> FROM: 1/1/2021 TO: 5/5/2021																																																																														
<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="text-align: left;">PROFESSION NAME</th> <th>YEAR</th> <th>JAN</th> <th>FEB</th> <th>MAR</th> <th>APR</th> <th>MAY</th> <th>JUN</th> <th>JUL</th> <th>AUG</th> <th>SEP</th> <th>OCT</th> <th>NOV</th> <th>DEC</th> <th>YR TOTALS</th> </tr> </thead> <tbody> <tr> <td style="text-align: left;">Advanced Practice Nurse Prescriber(33)</td> <td>2021</td> <td>46</td> <td>66</td> <td>97</td> <td>68</td> <td>6</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>283</td> </tr> <tr> <td style="text-align: left;">Licensed Practical Nurse(31)</td> <td>2021</td> <td>113</td> <td>40</td> <td>183</td> <td>79</td> <td>12</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>427</td> </tr> <tr> <td style="text-align: left;">Nurse - Midwife(32)</td> <td>2021</td> <td>2</td> <td>5</td> <td>1</td> <td>1</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>9</td> </tr> <tr> <td style="text-align: left;">Registered Nurse(30)</td> <td>2021</td> <td>516</td> <td>631</td> <td>475</td> <td>423</td> <td>42</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>2087</td> </tr> </tbody> </table>				PROFESSION NAME	YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YR TOTALS	Advanced Practice Nurse Prescriber(33)	2021	46	66	97	68	6	0	0	0	0	0	0	0	283	Licensed Practical Nurse(31)	2021	113	40	183	79	12	0	0	0	0	0	0	0	427	Nurse - Midwife(32)	2021	2	5	1	1	0	0	0	0	0	0	0	0	9	Registered Nurse(30)	2021	516	631	475	423	42	0	0	0	0	0	0	0	2087
PROFESSION NAME	YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YR TOTALS																																																																
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11) Signature of person making this request <i>Samantha Lange</i>		Authorization Date 5/5/2021																																																																												
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State of Wisconsin
Department of Safety & Professional Services

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Wisconsin Department of Safety and Professional Services

License Counts

(Includes Temp. Licenses)

Active = Current License / Inactive = Licensed Expired

			In State			Out of State			Totals		
Reg.	Profession	License Count Date	Active	Inactive	Total	Active	Inactive	Total	Active	Inactive	Total
30	Registered Nurse	5/5/2021	92,170	52,506	144,676	144,565	60,066	74,631	106,735	112,572	219,307
		3/24/2021	91,864	52,578	144,442	14,246	60,091	74,337	106,110	112,669	218,779
		2/26/2021	91,655	52,619	144,274	14,078	60,072	74,150	105,733	112,691	218,424
		2/5/2021	91,329	52,672	144,001	13,940	60,092	74,032	105,269	112,764	218,033
		12/2/2020	90,309	52,929	143,238	13,630	60,152	73,782	103,939	113,081	217,020
		11/3/2020	90,103	52,991	143,094	13,377	60,210	73,587	103,480	113,201	216,681
31	Licensed Practical Nurse	5/5/2021	13,384	33,372	46,756	925	9,615	10,540	14,309	42,987	57,296
		3/24/2021	13,292	33,393	46,685	886	9,614	10,500	14,178	43,007	57,185
		2/26/2021	13,176	33,407	46,583	850	9,611	10,461	14,026	43,018	57,044
		2/5/2021	13,146	33,413	46,559	840	9,611	10,451	13,986	43,024	57,010
		12/2/2020	12,960	33,453	46,413	812	9,611	10,423	13,772	43,064	56,836
		11/3/2020	12,908	33,472	46,380	801	9,610	10,411	13,709	43,082	56,791
32	Nurse - Midwife	5/5/2021	233	89	322	39	83	122	272	172	444
		3/24/2021	233	89	322	38	83	121	271	172	443
		2/26/2021	234	89	323	35	84	119	269	173	442
		2/5/2021	231	89	320	33	84	117	264	173	437
		12/2/2020	229	89	318	32	84	116	261	173	434
		11/3/2020	228	89	317	32	84	116	260	173	433
33	Advanced Practice Nurse Prescriber	5/5/2021	6,822	1,384	8,206	1,263	1,458	2,721	8,085	2,842	10,927
		3/24/2021	6,765	1,390	8,155	1,205	1,468	2,673	7,970	2,858	10,828
		2/26/2021	6,725	1,398	8,123	1,155	1,477	2,632	7,880	2,875	10,755
		2/5/2021	6,695	1,404	8,099	1,127	1,482	2,609	7,822	2,886	10,708
		12/2/2020	6,610	1,434	8,044	1,050	1,508	2,558	7,660	2,942	10,602
		11/3/2020	6,539	1,450	7,989	1,030	1,502	2,532	7,569	2,952	10,521

Nursing Licenses Issued Pursuant to Emergency Order 2:

Profession	10/2020	11/2020	1/2021	2/2021	3/2021	4/2021
Registered Nurse	53	68	41	27	19	20
Licensed Practical Nurse	5	5	5	1	-	1
Nurse Midwife	1	-	-	-	-	
Advanced Practice Nurse Prescriber	11	21	18	13	10	24

**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: 4/30/2021	
Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting			
3) Name of Board, Committee, Council, Sections: Board of Nursing			
4) Meeting Date: 5/13/2021	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Newsletter Planning	
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: <u>Newsletter Review:</u> The Board should provide feedback regarding the pending newsletter draft. <u>Future Planning (October Newsletter):</u> Based on the typical schedule of the Board the next newsletter will be due out in October 2021 with a deadline for article submission on September 24, 2021 with a deadline reminder to be sent September 17, 2021. The Board should discuss topics for the October Newsletter including those below. Articles/Ideas: <ul style="list-style-type: none"> • Possible: Rename the Newsletter or Vote on Newsletter Title Options <ul style="list-style-type: none"> ○ Members to connect with colleagues to identify newsletter name suggestions. Suggestions made at meeting: Wisconsin Board of Nursing Focus, Wisconsin Forward Nursing • NSCBN Virtual Annual Meeting (Designated attendee) 			
11) Authorization			
<i>Kimberly Wood</i>		<i>4/30/2021</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	
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