

**BOARD OF NURSING
MEETING MINUTES
SEPTEMBER 8, 2016**

PRESENT: Paul Abegglen, Peter Kallio, Jodi Johnson, Maria Joseph (*was excused from the meeting at 9:40 a.m.*), Sheryl Krause, Jeffrey Miller, Lillian Nolan, Luann Skarlupka

EXCUSED: Cheryl Streeter

STAFF: Dan Williams, Executive Director; Nilajah Hardin, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Jeffrey Miller called the meeting to order at 8:00 a.m. A quorum of members was confirmed.

ADOPTION OF THE AGENDA

Amendments to the Agenda

- *Under Item M.1.b. Proposed Stipulations, Final Decisions and Orders: Add “10. 16 NUR 124 (K.A.K.)”*

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

APPROVAL OF MINUTES OF JULY 14, 2016

MOTION: Jodi Johnson moved, seconded by Luann Skarlupka, to approve the minutes of July 14, 2016 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to affirm the Chair’s appointment of Sheryl Krause to the Nursing Legislation and Rules Committee. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

Request for Authorization of Admit Students to a Nursing School

Globe University-Madison East

MOTION: Sheryl Krause moved, seconded by Peter Kallio, to approve the request of Globe University-Madison East for authorization to admit students to a Nursing School with the following requirement: faculty will be hired and Form 1114 submitted to the Board six months prior to the beginning of the semester in which the faculty are required. Motion carried unanimously.

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to acknowledge and thank Susan Olson and Kendra Saal from Globe University-Madison East for their appearance before the Board. Motion carried unanimously.

Education Liaison Verbal Update as to ACEN Action for Herzing University-Madison

MOTION: Luann Skarlupka moved, seconded by Sheryl Krause, to acknowledge and thank Jennifer Kowalkowski from Herzing University-Madison for her appearance before the Board. Motion carried unanimously.

Site Survey Report and NCLEX Plan for Herzing University-Brookfield-Kenosha

MOTION: Peter Kallio moved, seconded by Sheryl Krause, to request that Herzing University –Brookfield-Kenosha supplement the current plan (08/26/2016) to include information addressing the site visit report (08/30/2016) specifically the plan for the governing institution, curriculum development and simulation learning. To be submitted no later than October 28, 2016. Motion carried unanimously.

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to acknowledge and thank Deborah Ziebarth and Pat Edwards from Herzing University –Brookfield-Kenosha for their appearance before the Board. Motion carried unanimously.

PRESCRIBING CONTROLLED SUBSTANCES GUIDELINES (ACT 269)

MOTION: Luann Skarlupka moved, seconded by Sheryl Krause, to create the Nursing Controlled Substances Committee and acknowledge the Board Chair's appointment of Peter Kallio as Committee Chair, Jodi Johnson, and Jeffrey Miller to the Committee. The scope of the Committee will be to develop recommendations with respect to Act 269 and submit to the full Board for approval. Motion carried unanimously.

Maria Joseph was excused from the meeting at 9:40 a.m.

CLOSED SESSION

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

The Board convened into Closed Session at 9:43 a.m.

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 12:57 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Paul Abegglen moved, seconded by Peter Kallio, to affirm all motions made in closed session. Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Attorney Amanda Florek

Administrative Warnings

MOTION: Jodi Johnson moved, seconded by Sheryl Krause, to issue an Administrative Warning in the following matters:

1. 16 NUR 048 (R.J.W.)
2. 16 NUR 336 (M.L.S.)

Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

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

1. 15 NUR 225 and 15 NUR 642 (L.M.S.)
2. 15 NUR 291 (G.L.B.)
3. 15 NUR 456 (A.J.D.)
4. 15 NUR 592 (E.A.W.)
5. 16 NUR 001 (A.R.)
6. 16 NUR 073 (S.K.M.)
7. 16 NUR 077 (W.L.W.)
8. 16 NUR 108 (M.S.D.)
9. 16 NUR 119 (S.C.M.)
10. 16 NUR 124 (K.A.K.)

Motion carried unanimously.

DLSC Attorney Kim Kluck

Administrative Warnings

MOTION: Sheryl Krause moved, seconded by Jodi Johnson, to issue an Administrative Warning in the following matters:

1. 15 NUR 385 (S.L.K.)
2. 16 NUR 182 (C.M.B.)
3. 16 NUR 255 (K.L.S.)

Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

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

1. 15 NUR 201 (S.A.C.)
2. 15 NUR 485 (H.J.E.)
3. 15 NUR 703 (A.R.J.)
4. 15 NUR 703 (L.L.W.)
5. 16 NUR 040 (J.A.D.)
6. 16 NUR 172 (T.C.A.)
7. 16 NUR 173 (A.S.A.)
8. 16 NUR 259 (B.L.I.)
9. 16 NUR 289 (T.L.V.P.)
10. 16 NUR 306 (M.A.M.)

Motion carried unanimously.

Case Closures

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

1. 15 NUR 344 – Insufficient Evidence
2. 15 NUR 587 – No Violation
3. 16 NUR 201 – No Violation
4. 16 NUR 009 – Insufficient Evidence
5. 16 NUR 270 – No Violation
6. 16 NUR 138 – Prosecutorial Discretion (P7)
7. 16 NUR 230 - Insufficient Evidence
8. 16 NUR 194 - Prosecutorial Discretion (P7)
9. 15 NUR 349 - Prosecutorial Discretion (P6)
10. 15 NUR 625 - Insufficient Evidence
11. 16 NUR 323 - Prosecutorial Discretion (P2)
12. 16 NUR 134 – No Violation
13. 15 NUR 582 - Prosecutorial Discretion (P5 - Flag)
14. 16 NUR 389 - Insufficient Evidence

Motion carried unanimously.

Monitoring*Sandra Graham, R.N. – Ability to Count Narcotics, Reduction in Drug and Alcohol Screens and AA/NA Meetings*

MOTION: Peter Kallio moved, seconded by Sheryl Krause, to **grant** the request of Sandra Graham, R.N. for the ability to count narcotics with a physician physically present in the room while the narcotics are being counted and a reduction in drug and alcohol test to 36 per year. The Board **denies** the request of Sandra Graham, R.N. for a reduction in AA/NA meeting attendance.

Reason for Denial: Insufficient time of compliance under the terms of the Order (12/11/2014). Motion carried unanimously.

Michelle Gruenewald, R.N. – Reduction in Drug Screens

MOTION: Peter Kallio moved, seconded by Lillian Nolan, to **grant** the request of Michelle Gruenewald, R.N. for a reduction in drug screens to 28 and one annual hair test. Motion carried unanimously.

Angela Hanaman, R.N. – Full Licensure or Reduction in Drug and Alcohol Screens

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to **table** the request of Angela Hanaman, R.N. for full licensure and a reduction in drug and alcohol screens. The Board requests that she appear to provide additional information at either the October (10/13/16) or the November Board meeting (11/10/16). Motion carried unanimously.

Tracy Hoepfner, R.N. – Full Licensure or Several Modifications

MOTION: Lillian Nolan moved, seconded by Paul Abegglen, to **grant** the request of Tracy Hoepfner, R.N. for termination of the treatment and direct supervision requirements. The Board **denies** the request of Tracy Hoepfner, R.N. for full licensure and a reduction in drug and alcohol screens. **Reason for Denial:** Insufficient time of compliance under the terms of the Order (04/19/2007). Motion carried unanimously.

Jacob Kummer – Review Fitness to Practice Evaluation

MOTION: Lillian Nolan moved, seconded by Paul Abegglen, to **accept** the Fitness-for-Duty Evaluation of Jacob Kummer and add the following limitations to his Board Order (04/14/2016): the addition of psychoeducational therapy by a Board approved treater with a focus on anger management with quarterly treatment reports and ongoing substance abuse treatment by a Board approved Substance Abuse Counselor with quarterly treatment reports. Frequency of treatment sessions to be determined by the treater. Motion carried unanimously.

Stacey Medved, R.N. – Termination of Treatment and AA/NA Meetings, Reduction in Drug and Alcohol Screens

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to **grant** the request of Stacey Medved, R.N. for termination of the treatment requirement. The Board **denies** the request of Stacey Medved, R.N. for a reduction in AA/NA meeting attendance and a reduction in drug and alcohol screens. **Reason for Denial:** Insufficient time of compliance under the terms of the Order (02/12/2015). Motion carried unanimously.

Gold Omereonye, R.N. – Full Licensure

MOTION: Paul Abegglen moved, seconded by Jodi Johnson, to **grant** the request of Gold Omereonye, R.N. for full licensure. Motion carried unanimously.

Heather Pierce, R.N. – Reduction in Drug and Alcohol Screens

MOTION: Peter Kallio moved, seconded by Jodi Johnson, to **deny** the request of Heather Pierce, R.N. for a reduction in drug and alcohol screens. **Reason for Denial:** Failure to demonstrate continuous and successful compliance. Respondent needs to fully comply with the complete terms and conditions of the original Board Order (05/06/2010). Motion carried unanimously.

Jessica Placek, R.N. – Reduction in Drug and Alcohol Screens

MOTION: Sheryl Krause moved, seconded by Paul Abegglen, to **deny** the request of Jessica Placek, R.N. for a reduction in drug and alcohol screens. **Reason for Denial:** Failure to demonstrate continuous and successful compliance. Respondent needs to fully comply with the complete terms and conditions of the original Board Order (06/21/2012). Motion carried unanimously.

Paula Salkin, R.N. – Termination of Home Health, Agency, and Direct Supervision Restrictions

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to **deny** the request of Paula Salkin, R.N. for the ability to work in a home health or agency setting and termination of the direct supervision requirement. **Reason for Denial:** Insufficient time of compliance under the terms of the Order (09/04/2008). Motion carried unanimously.

Carrie Skifstad – Stay of Suspension and Termination of Treatment

MOTION: Lillian Nolan moved, seconded by Peter Kallio, to **deny** the request of Carrie Skifstad for a stay of her suspension and termination of the treatment requirement. The Board recommends that she get an AODA assessment. **Reason for Denial:** Failure to demonstrate continuous and successful compliance. Respondent needs to fully comply with the complete terms and conditions of the original Board Order (03/24/2011). Motion carried unanimously.

CREDENTIALING MATTERS**Audrey Doro – Licensed Practical Nurse Application**

MOTION: Jodi Johnson moved, seconded by Sheryl Krause, to find the relevant instruction in connection with Audrey Doro's military service is not substantially equivalent to the instruction required to sit for the NCLEX-PN at this time. **Reason for Denial:** per Wis. Stat. § 441.10 (1)(f) and Wis. Admin. Code § N 2.10 (2)(f). Motion carried unanimously.

Paige Engle - Licensed Practical Nurse Application

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to **approve** the Licensed Practical Nurse application of Paige Engle, once all requirements are met. Motion carried unanimously.

Beverly Kerkstra - Licensed Practical Nurse Application

MOTION: Luann Skarlupka moved, seconded by Jodi Johnson, to **table** the Licensed Practical Nurse application of Beverly Kerkstra pending receipt of additional information. Motion carried unanimously.

RaeLene Mace – Registered Nurse Application

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to issue an **intent to deny** the application of RaeLene Mace for a license to practice as a Registered Nurse in the state of Wisconsin, unless within 45 days the Board or its designee receives evidence of a scheduled appointment with a Board-approved Clinical or Forensic Psychologist or Psychiatrist for a Fitness to Practice Evaluation. Furthermore, the applicant must complete the evaluation, and a report from the evaluator indicating fitness to practice must be received by the Board no later than 120 days from the date of the letter indicating the Board's intent to deny the application. **Reason for Denial:** per Wis. Stats. § 441.07 (1g)(b) and Wis. Admin. Code § N 2.21 (2)(e). Motion carried unanimously.

ORDER(S) FIXING COSTS**Jana L. Blair, R.N., Respondent (ORDER0004804)(DHA Case # SPS-16-0029)(DLSC Case # 15 NUR 416)**

MOTION: Luann Skarlupka moved, seconded by Paul Abegglen, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Jana L. Blair, R.N., Respondent (ORDER0004804)(DHA Case # SPS-16-0029)(DLSC Case # 15 NUR 416). Motion carried unanimously.

Nickea C. Connolly, R.N., Respondent (ORDER0004805)(DHA Case # SPS-16-0015)(DLSC Case # 15 NUR 562)

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Nickea C. Connolly, R.N., Respondent (ORDER0004805)(DHA Case # SPS-16-0015)(DLSC Case # 15 NUR 562). Motion carried unanimously.

Amber Lichtwalt, R.N., Respondent (ORDER0004766)(DHA case # SPS-16-0018)(DLSC case # 14 NUR 618) and Objections

MOTION: Jodi Johnson moved, seconded by Luann Skarlupka, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Amber Lichtwalt, R.N., Respondent (ORDER0004766)(DHA Case # SPS-16-0018)(DLSC Case # 14 NUR 618). Motion carried unanimously.

Sarah A. Trebbe, R.N., Respondent (ORDER0004810)(DHA Case # SPS-16-0025)(DLSC Case # 15 NUR 115)

MOTION: Peter Kallio moved, seconded by Sheryl Krause, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Sarah A. Trebbe, R.N., Respondent (ORDER0004810)(DHA Case # SPS-16-0025)(DLSC Case # 15 NUR 115). Motion carried unanimously.

BOARD MEETING PROCESS (TIME ALLOCATION, AGENDA ITEMS)

Newsletter

September 2016 Newsletter Draft for Board Approval

MOTION: Peter Kallio moved, seconded by Paul Abegglen, to approve the draft of the September 2016 issue of Nursing Forward with the recommended changes. Motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 1:07 p.m.