

**BOARD OF NURSING
MEETING MINUTES
NOVEMBER 3, 2011**

PRESENT: Kay Coppens, Maria Joseph, Rachelle Lancaster, Gretchen Lowe, Carol Ott

EXCUSED: Julia Nelson, Nelson Soler, Lou Ann Weix

STAFF: Dan Williams, Bureau Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant; Sharon Henes, Paralegal; and other Department Staff

GUESTS: Mary B. Green, Jackie Graetz, & Chris Montagnino, Herzing University; Kelly A. Crum, Maranatha Baptist Bible College; Julie Ellis, Columbia College of Nursing; Lindsay Schehr & Marlene Roberts, UW Oshkosh – College of Nursing; David Dies, Educational Approval Board (EAB); Gina Dennik-Champion, Wisconsin Nurses Association (WNA); Diana Gruman, Rasmussen College; Debra Dahlke, Wisconsin Association of Nurse Anesthetists (WANA); Jeremy Levin, Rural Wisconsin Health Cooperative (RWHC); Judy Warmuth, Wisconsin Hospital Association (WHA)

CALL TO ORDER

Gretchen Lowe, Vice Chair, called the meeting to order at 9:39 a.m. A quorum of five (5) members was present.

APPROVAL OF AGENDA

Amendments to the Agenda:

- Item “N” (closed session) Under the item titled “Deliberation of Proposed Stipulations and Final Decisions and Orders”
 - **REMOVE:** “N-3” Rachael A. Deragon, R.N. (10 NUR 271)
 - **REMOVE:** “N-5” Roslyn M. George, R.N. (11 NUR 451)
 - **REMOVE:** “N-10” Donna M. Pearson, R.N. (11 NUR 405)
 - **REMOVE:** “N-14” Claire E. Weingart, R.N. (11 NUR 241)
- Item “S-4” (closed session) Under the item titled “Deliberation of Items Received After Printing of the Agenda – Proposed Stipulations, Final Decisions and Orders”
 - **ADD:** Michael D. Blassingame, R.N. (07 NUR 166 & 08 NUR 321) – With deliberation to occur at the end of Item “N”
 - **ADD:** Derek R. Norkol, R.N. (11 NUR 281) – With deliberation to occur at the end of Item “N”
- Item “Q” (closed session) Under the item titled “Deliberation of Proposed Final Decisions and Orders”
 - **REMOVE:** “Q-1” (closed session) Diane C. Walters, R.N., Respondent – Division of Hearing and Appeals (DHA) Case # SPS-10-0095, Division of Enforcement (DOE) Case # 09 NUR 290
 - a) Respondent’s objections to Proposed Decision
 - b) States Reply to Respondent’s Objections

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to approve the agenda of November 3, 2011 as amended. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Kay Coppens moved, seconded by Maria Joseph, to approve the minutes of October 6, 2011 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Dan Williams, Executive Director, reported to the Board regarding the following administrative matters:

- The Board was provided with an updated list of meeting dates for 2012. Dan Williams indicated that the Department has agreed to provide the Board with one additional meeting per year.
- The new Board of Nursing SharePoint page is now available and login questions should be directed to Kimberly Wood, Bureau Assistant.

REVIEW OF PROPOSED RULE REVISION TO N 3.01, WIS. ADMIN. CODE – SHARON HENES, PARALEGAL

Sharon Henes, Paralegal, appeared before the Board to review proposed revisions to N 3.01, Wis. Admin. Code. In response to questions posed by the Board Ms. Henes reviewed changes to the rule promulgation process resulting from 2011 Act 21 and Executive Order 50. The Board reviewed and discussed changes to the rule making process.

MOTION: Kay Coppens moved, seconded by Carol Ott, to approve the clearinghouse draft of N 3.01, Wis. Admin. Code. Motion carried unanimously.

REPORT OF EDUCATION AND LICENSURE COMMITTEE

Carol Ott reported to the Board regarding the actions taken at today’s Education and Licensure Committee meeting.

Columbia College of Nursing Progress Report and Request for Approval of Curriculum Modifications

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to recommend approval of the Columbia College of Nursing change in status report. Motion carried unanimously.

BOARD MOTION: Kay Coppens moved, seconded by Maria Joseph, to accept the recommendation for approval of the Columbia College Nursing change in status report. Motion carried unanimously.

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to recommend approval of the curriculum change outlined in the request submitted by Columbia College of Nursing. Motion carried unanimously.

BOARD MOTION: Kay Coppens moved, seconded by Maria Joseph, to accept the recommendation for approval of the curriculum change outlined in the request submitted by Columbia College of Nursing. Motion carried unanimously.

Review of Request for Approval of Co-Educational Administrators at Herzing University-Brookfield

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to recommend that Herzing University-Brookfield/Kenosha submit a progress report to the Committee for review at its January 2012 meeting. Motion carried unanimously.

BOARD MOTION: Carol Ott moved, seconded by Kay Coppens, to accept the recommendation that Herzing University-Brookfield/Kenosha submit a progress report to the Committee for review at its January 2012 meeting. Motion carried unanimously.

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to recommend that deliberation of the request of Herzing University-Brookfield for co-educational administrators be deferred until the December 2011 meeting. Motion carried unanimously.

BOARD MOTION: Carol Ott moved, seconded by Maria Joseph, to accept the recommendation that deliberation of the request of Herzing University-Brookfield for co-educational administrators be deferred until the December 2011 meeting. Motion carried unanimously.

Maranatha Baptist Bible College Request for Approval of Curriculum Change

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to recommend approval of curriculum changes requested by Maranatha Baptist Bible College to incorporate nutrition into pharmacology. Motion carried unanimously.

BOARD MOTION: Kay Coppens moved, seconded by Carol Ott, to accept the recommendation for approval of curriculum changes requested by Maranatha Baptist Bible College to incorporate nutrition into pharmacology. Motion carried unanimously.

Maranatha Baptist Bible College Self-Evaluation Report

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to recommend approval of the self-evaluation report of Maranatha Baptist Bible College with the caveat that introductory psychology and developmental psychology would be integrated into the curriculum beginning fall 2012. Motion carried unanimously.

BOARD MOTION: Carol Ott moved, seconded by Kay Coppens, to accept the recommendation for approval of the self-evaluation report of Maranatha Baptist Bible College with the caveat that introductory psychology and developmental psychology would be integrated into the curriculum beginning fall 2012. Motion carried unanimously.

INFORMATIONAL ITEMS

Colleen Baird informed the Board that Sharon Henes, Secretary Dave Ross and she traveled to the Wisconsin Nurses Association Annual meeting on Saturday October 29, 2011 to attend Tom Neumann's presentation on the history of the nurse practice act.

PUBLIC COMMENTS

Gina Dennik-Champion, WNA, reported to the Board regarding the highlights of the WNA Annual Meeting occurring October 27-29, 2011.

CLOSED SESSION

MOTION: Kay Coppens moved, seconded by Maria Joseph to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Enforcement case status reports. Roll Call Vote: Kay Coppens-yes; Maria Joseph-yes; Rachelle Lancaster-yes; Gretchen Lowe-yes; and Carol Ott-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:06 a.m.

RECONVENE TO OPEN SESSION

MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:36 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF VOTING IS APPROPRIATE

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to reaffirm all motions made in closed session. Motion carried unanimously.

REVIEW OF ADMINISTRATIVE WARNING

11:30 A.M. APPEARANCE: A.S., Respondent (07 NUR 353)

Arthur Thexton, Division of Enforcement (DOE) Prosecuting Attorney; representation for the respondent, Marilyn Carroll; and Respondent, A.S., appeared before the Board to present oral arguments regarding the issuance of the administrative warning in case # 07 NUR 353.

MOTION: Carol Ott moved, seconded by Rachelle Lancaster, to vacate the issuance of the administrative warning in the matter of case # 07 NUR 353 and to close this case for prosecutorial discretion (P1). Motion carried unanimously.

DELIBERATION ON MONITORING MATTERS

**TINA M. CLEMMER, R.N.
REQUESTING FULL LICENSURE**

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to grant the request of Tina M. Clemmer, R.N for full licensure. Motion carried unanimously.

**SHELLEY J. COREY, R.N.
REQUESTING FULL LICENSURE**

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to grant the request of Shelley J. Corey, R.N. for full licensure. Motion carried unanimously.

**HARMONY S. GEARY, L.P.N.
REQUESTING FULL LICENSURE**

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to grant the request of Harmony S. Geary, L.P.N. for full licensure. Motion carried unanimously.

**JAMES J. SCHLAIS, R.N.
REQUESTING FULL LICENSURE**

Patara Horn, Department Monitor, distributed additional materials relating to the deliberation of James J. Schlais, R.N.'s request for full licensure.

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to grant the request of James J. Schlais, R.N. for full licensure. Motion carried unanimously.

**THERESE A. SCHNEIDER, R.N.
REQUESTING REINSTATEMENT OF LICENSE**

Patara Horn, Department Monitor, distributed additional materials relating to the deliberation of Therese A. Schneider, R.N.'s request for reinstatement of license.

MOTION: Rachelle Lancaster moved, seconded by Carol Ott, to grant the request of Therese A. Schneider, R.N. for reinstatement of licensure. Motion carried unanimously.

**HOLLY R. STILLER (GERSTL), R.N.
REQUESTING FOR REINSTATEMENT OF LICENSE**

MOTION: Kay Coppens moved, seconded by Carol Ott, to deny the request of Holly R. Stiller (Gerstl), R.N. for reinstatement of license and to grant a limited license for the sole purpose of completing a Board approved RN refresher course to expire within one (1) year of the date of issuance, contingent upon the following.

- Respondent shall provide a copy of her Board Order and psychological evaluation as completed by Dr. David DuBord, to the school and clinical site.
- Following completion of RN refresher course respondent must submit an evaluation report from the school regarding classroom and clinical performance.
- Must complete drug screens at a frequency of forty-eight (48) per year plus one (1) annual hair test.
- Shall comply with the therapy recommendations as outlined by Dr. David DuBord.
- Submission of therapy reports on a quarterly basis.

Upon successful completion the Board will consider under what condition licensure may be granted. Reason for Denial: On the basis of the psychological evaluation of fitness to practice. Motion carried unanimously.

**THERESE BOECKMANN, R.N.
REQUESTING BOARD'S REVIEW OF OUTSTANDING ORDER GRANTING LIMITED LICENSE
TO TAKE NURSE REFRESHER COURSE**

MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to issue an Order for Therese Boeckmann, R.N. that modifies the Board's prior Order granting a limited license to require completion of the nurse refresher course within one (1) year from the date of this Order. Motion carried unanimously.

**MARY K. BOSTON, R.N.
REQUESTING BOARD'S REVIEW OF OUTSTANDING ORDER GRANTING LIMITED LICENSE
TO TAKE NURSE REFRESHER COURSE**

MOTION: Rachelle Lancaster moved, seconded by Carol Ott, to issue an Order for Mary K. Boston, R.N. that modifies the Board's prior Order granting a limited license to require completion of the nurse refresher course within one (1) year from the date of this Order. Motion carried unanimously.

**KATHRYN M. BERRY, R.N.
REQUESTING MODIFICATION**

MOTION: Carol Ott moved, seconded by Rachelle Lancaster, to grant the request of Kathryn M. Berry, R.N. for a reduction in the frequency of drug screens with testing at a frequency of twenty-eight (28) per year plus one (1) annual hair test. The Board denies the request for a reduction in the frequency of AA meeting attendance. The Board reminds the respondent that therapy reductions are per treater. Reason for Denial: Per Board Order. Motion carried unanimously.

**STELLA F. FIELDS, L.P.N.
REQUESTING MODIFICATION**

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to grant the request of Stella F. Fields, L.P.N. for a one year extension of time to pay costs at a rate of \$50.00 per month. Motion carried unanimously.

**MEGAN FROHMADER, R.N.
REQUESTING MODIFICATION**

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to deny the request of Megan Frohmader, R.N. for access to controlled substances. The Board requested that the respondent provide a personal explanation, in addition to an explanation from her physician, regarding multiple refill requests for Lorazepam with only one positive drug screen. Reason for Denial: Failure to comply with drug screening requirements. Motion carried unanimously.

**JUDI L. OLSEN, R.N.
REQUESTING MODIFICATION**

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to deny the request for Judi L. Olsen, R.N. for a reduction in the frequency of drug screens, but to grant the request to increase work hours from forty-five (45) to forty-eight (48) per week. Reason for Denial: Insufficient time under Board Order. Motion carried unanimously.

**MICHELLE SVOKE, R.N.
REQUESTING STAY OF SUSPENSION**

MOTION: Carol Ott moved, seconded by Rachelle Lancaster, to deny the request of Michelle Svoke, R.N. for stay of suspension. The Board indicated that the respondent must complete 3 months of compliance with her Board Order before the Board will consider a stay of suspension request. Reason for Denial: Non-compliance with drug screening requirements. Motion carried unanimously.

**LISA B. VAN NATTA, R.N.
REQUESTING MODIFICATION**

MOTION: Carol Ott moved, seconded by MJ, to grant the request of Lisa B. Van Natta, R.N. for a reduction in the frequency of drug screens to twenty-eight (28) per year plus one (1) annual hair test. Motion carried unanimously.

**KATHRYN M. VANDER WOUDE, R.N.
REQUESTING MODIFICATION**

MOTION: Carol Ott moved, seconded by Kay Coppens, to deny the request of Kathryn M. Vander Woude, R.N. for a reduction in the drug screen frequency. Reason for Denial: Non-compliance with drug screening requirements. Motion carried unanimously.

DIVISION OF ENFORCEMENT

Case Status Report

The Board received a report outlining its pending enforcement cases.

Case Closings

- 1) 11 NUR 276 – No Violation/Respondent Mark Hager
- 2) 11 NUR 441 – Prosecutorial Discretion (P7)/Respondent Debra Krueger
- 3) 10 NUR 678 – Prosecutorial Discretion (P5)/Respondent Connie Fox
- 4) 11 NUR 463 – Insufficient Evidence/Respondent Aimee Steinbrink
- 5) 11 NUR 391 – Prosecutorial Discretion (P5)/Respondent Kevin Greener
- 6) 10 NUR 633 – Prosecutorial Discretion (P2)/ Respondent Michelle Schooley
- 7) 11 NUR 458 – Prosecutorial Discretion (P5)/ Respondent Margie Lakin Petersen
- 8) 11 NUR 500 – Prosecutorial Discretion (P7)/ Respondent Katie Peret
- 9) 11 NUR 089 & 11 NUR 390 – Insufficient Evidence/ Respondent Nikki Janish
- 10) 11 NUR 159 – Prosecutorial Discretion (P1)/ Respondent Belinda Douglas
- 11) 10 NUR 033 – Insufficient Evidence/ Respondent Lora Byers
- 12) 10 NUR 481 – Prosecutorial Discretion (P6)/ Respondent Sandi Lou Garro
- 13) 11 NUR 252 – Insufficient Evidence/ Respondent Kimberly Walker-Daniels
- 14) 11 NUR 269 – No Violation/ Respondent Megan Kummer
- 15) 11 NUR 389 – Insufficient Evidence/ Respondent Therese O’Grady

MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to close the cases listed as identified above. Motion carried unanimously.

DELIBERATION OF PROPOSED STIPULATIONS AND FINAL DECISIONS AND ORDERS

1. Kaye P. Churchill, R.N. (11 NUR 321)
2. Mary S. Gallagher, R.N. (11 NUR 335)
3. Sara B. Hirschberg, R.N. (10 NUR 432)
4. Gayle C. Jonas, R.N. (08 NUR 007)
5. Sheryl J. Kugel, R.N., A.P.N.P. (11 NUR 059)
6. Jancie M. LaBelle, L.P.N. (07 NUR 324)
7. Jennifer A. Plaza, R.N. (10 NUR 542)
8. Catherine D. Prange, L.P.N (11 NUR 406)
9. Kathleen M. Sayles, R.N. (11 NUR 293) (*Scrivener’s Error Corrected*)
10. Michael D. Blassingame, R.N. (07 NUR 166 & 08 NUR 321)**
11. Derek R. Norkol, R.N. (11 NUR 281)**

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against the individuals listed above. Motion carried unanimously.

MOTION: Kay Coppens moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Rose C. Aubuchon, R.N. (11 NUR 347). Motion carried unanimously.

MOTION: Carol Ott moved, seconded by Kay Coppens, to refer the matter concerning Rose C. Aubuchon, R.N. (11 NUR 347) to the screening panel. Motion carried unanimously.

DELIBERATION ON ISSUANCE OF ADMINISTRATIVE WARNINGS

1. 10 NUR 249
2. 10 NUR 329
3. 11 NUR 096
4. 11 NUR 177
5. 11 NUR 246
6. 11 NUR 459

MOTION: Kay Coppens moved, seconded by Maria Joseph, to issue administrative warnings in the matter of the case numbers listed above. Motion carried unanimously.

DELIBERATION OF ORDERS FIXING COSTS

1) **Debbie R. Buck, R.N., Respondent – Order #0001057**

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to accept the Order Fixing Costs in the matter of Debbie R. Buck, R.N., Respondent – Order #0001057. Motion carried unanimously.

2) **Ann Marie Davis, R.N., Respondent – Order #0001058**

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to accept the Order Fixing Costs in the matter of Ann Marie Davis, R.N., Respondent – Order #0001058. Motion carried unanimously.

3) **Dianne M. Mayr, R.N., Respondent – Order #0001078**

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to accept the Order Fixing Costs in the matter of Dianne M. Mayr, R.N., Respondent – Order #0001078. Motion carried unanimously.

CONSIDERATION OF PETITION FOR RE-HEARING

1) **Selena Hollman-Williams, L.P.N. (Order # 0000772)**

The Board reviewed the petition of Selena Hollman-Williams, L.P.N. for re-hearing and the State's objections to the respondent's petition for re-hearing.

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to deny the request for re-hearing in the matter of disciplinary proceedings against Selena Hollman-Williams, L.P.N. (Order # 0000772). Reason for Denial: The Respondent has failed to establish sufficient grounds for re-hearing as she has not demonstrated a mistake in law or fact, or new evidence to warrant re-hearing. Motion carried unanimously.

DELIBERATION OF ITEMS RECEIVED AFTER PRINTING OF THE AGENDA

- 1) **Application Issues and/or Reviews** – *NONE*
- 2) **Professional Assistance Procedure (PAP)** – *NONE*
- 3) **Monitoring Matters** – *NONE*
- 4) **Proposed Stipulations, Final Decisions and Orders**
 - a) *Added to the Agenda:* Michael D. Blassingame, R.N. (07 NUR 166 & 08 NUR 321)
 - b) *Added to the Agenda:* Derek R. Norkol, R.N. (11 NUR 281)

Deliberation of the above listed Proposed Stipulations, Final Decisions and Orders was addressed under item “N”.

- 5) **Administrative Warnings** – *NONE*
- 6) **Review of Administrative Warning** – *NONE*
- 7) **Orders Fixing Costs/Matters Related to Costs** – *NONE*
- 8) **Proposed Final Decisions and Orders** – *NONE*
- 9) **Petitions for Summary Suspension** – *NONE*
- 10) **Petitions for Re-hearings** – *NONE*
- 11) **Examination Issues** – *NONE*
- 12) **Credential Issues** – *NONE*
- 13) **Appearances from Requests Received or Renewed** – *NONE*
- 14) **Motions** – *NONE*

ADJOURNMENT

MOTION: Carol Ott moved, seconded by Maria Joseph, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:37 p.m.