

**MINUTES OF THE
INDIANA STATE BOARD OF NURSING
ADMINISTRATIVE LAW JUDGE**

**on
Thursday, December 7, 2023
at 8:30 a.m.**

***TO BE HELD THROUGH WEBEX*
TO JOIN, CALL: (240) 454-0887
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MEETING CODE: 172 253 3540**

Administrative Law Judges:

Angela Morris, MSN, RN (for Personal Appearances 1-18, 21-27, and 31)
Emily Segó, DNP, RN (for Personal Appearances 20, 32-53)

PLA Staff:

Nicholas Hart
Toni Herron
Kayla Perkins
Dinena Moore
Rebecca Tinsley
Rose Kremple

Advisory Counsel:

Claire Dyer
Donald Hannah

I. Personal Appearances

1. Lynda Nathan: Failed to appear. Reschedule.
2. Jacob Hemming: Hemming appeared for a positive response on his renewal application. He is currently enrolled in an RMA and is in partial compliance because he is not on naltrexone/vivitrol as recommended by ISNAP. He indicated that he is not on naltrexone due to feeling like it doesn't help him due to the side effects. He disclosed a conviction since last renewal related to diversion, there was an emergency suspension from OAG that has expired, he was terminated from CHN due to his recent felony conviction, and he was placed on the OIG Exclusion List. He is currently employed at a plasma facility and they are aware of his issues. ISNAP reports not positive drugs tests or issues with check-ins. Hemming reports no use of alcohol since June 2022 and no narcotic use for longer than that. The ALJ recommended renewal of license on existing probationary order from 2019.
3. Mary Serrano: Serrano appeared for a personal appearance with counsel Cynde Marcus related to a positive response on renewal. She had an OWI in 2020, 2 previous OWIs when she was in college 30 years ago. She reported the 2020 OWI timely. The OWI occurred at the same time her fiancé entered into hospice. She is not working as a nurse at this time. She has contacted IPRP and Fairbanks. She is enrolling in ISNAP. She is on probation in her criminal case through 2024. Abigail Rosa reported that she hasn't completed intake, there was a back and forth between Ms.

Marcus and Abigail Rosa. Serrano provided a sober date of May 2023. She is between contracts with a staffing agency. She reports that she has not disclosed her criminal case to them. The ALJ made a recommendation to renew on probation for length of criminal probation or length of RMA, whichever is longer. Signed board orders, quarterly reports, reporting requirements, keep the Board apprised of her info, compliance in RMA, active practice for minimum of 1 year. Serrano agreed to the terms.

4. Lisa Sykes: Sykes appeared on a reinstatement application with an Indiana license that expired in 2017. She failed to disclose a 2017 order of discipline against her Texas license. Her Texas license is active. Sykes indicated she was confuse and did not intend not to disclose the Texas discipline. She thought the “since last renewed” meant since she last renewed her Texas license, not the Indiana license. The ALJ recommended reinstatement of the license free and clear.
5. Kenyatta O’Hearn: Failed to appear. Reschedule.
6. Kimberly Lewis: Failed to appear. Reschedule.
7. Gina Faucett: Faucett appeared for a positive response on her renewal application. The ALJ reviewed the positive response and recommended renewal free and clear.
8. Shannon Benson: Benson appeared for a positive response on her renewal application with counsel Lorie Brown. The positive response related to a termination from her employment. She has worked as a nurse since 2017 with no issues. She was terminated from her employment due to asking a PCA to pass medication for her. She expressed regret over doing so and submitted additional CEUs. Benson indicated that she has learned never to delegate nursing tasks to unlicensed staff. She now works at a different employer and has had no issues there. The ALJ made a recommendation to renew Benson’s license on indefinite probation for a minimum of 6 months of active nursing practice, signed board orders, quarterly reports, keep board apprised of information, 3 CEs in medication administration, reporting requirements, 3 CEs ethics. This recommendation was questioned by Brown and the ALJ referred the matter for PA before the full Board in January.
9. Doreen Holler: Holler appeared with counsel Laura Iosue. She disclosed a pending criminal case for aggravated battery, intimidation, pointing a firearm, and criminal mischief. Multiple are felony charges. Holler indicated this was due to misuse of prescription drugs. The criminal case didn’t happen in connection with her work as a nurse. She completed an ISNAP assessment and is in a 1 year “at risk” RMA. She was terminated from her job due to the pending criminal case. Iosue suggested a period of probation where Holler may not work for a period of time. Abigail Rosa reports ISNAP compliance. There is an active protective order against her daughter, the victim in this case. She has multiple spouses who have died of suicide. Iosue indicated that there is already a consumer complaint under OAG investigation. The ALJ recommended renewal with a referral to OAG.
10. Julia Kakar: Failed to appear. Reschedule.
11. Rebecca Lynn Crabtree: Crabtree appeared with counsel Lorie Brown. She was terminated from her employment at Parkview – she is unsure whether the termination was due to her going to a rehab facility. She has been in an RMA since August 2023 and has a sobriety date of March 1, 2023. She has a sponsor and attends 3 meetings per week and has recently started therapy. She disclosed the existence of a pending consumer complaint against her license which alleges that she had deficient charting related to delay of documenting removal of medication from a pyxis and suspected diversion. She has obtained subsequent employment which is going well. Abigail Rosa reported that she is in a 5-year RMA and is currently in compliance. The ALJ recommended renewal with referral to OAG.
12. Haley S. Johnson: Johnson appeared for a positive response on her renewal application with counsel Lorie Brown. Johnson disclosed she was arrested for a crash at a high rate of speed

because there was an open container in her car when traveling through Kansas in August 2022. She was convicted of reckless driving with no probation. She reported that her BAC was 0.00, but that she had used marijuana. That day, August 31, 2022, is her sobriety date. She received mental health treatment. When she returned to work in Indiana, she disclosed the criminal case and they also discussed the possible inappropriate use of sevoflurane. She was terminated from her employment. She is currently in an RMA (3 year running from August 2022) and reports that she is in partial compliance due to missed check-ins but has formed a plan to avoid missing those. She completed IOP. She has obtained subsequent employment which she since left and is on the job hunt again due to a bad fit at her past place of work, a drug treatment center. She expressed regret over the criminal case and explained that she has attempted to address the root cause of the incident. The ALJ recommended renewal on indefinite probation for length of completion of RMA, minimum of 1 year of active nursing practice, quarterly reports, signed Board orders, keeping Board apprised of her information, 12 CEs in impaired nursing, reporting requirements. The ALJ cited concern over the length of time she has been a nurse in relation to having these issues. Agreed to terms.

13. Alesha Jackson - VACATED
14. Bridget Nicole Kellams - VACATED
15. Kristine Nicole Ruano - VACATED
16. Gabriel Bacungan: Failed to appear. Reschedule.
17. Cynthoria Shininger: Shininger appeared for a positive response on her renewal application. She got terminated from work due to an investigation where they determined she had synthetic urine on her person. She disclosed that this was because she had used marijuana and was concerned about a UDS. She has a pretrial diversion agreement in this case. She has obtained subsequent employment. Shininger also has pending charges in Marion County for leaving the scene of an accident. The ALJ recommended renewal on indefinite probation for a minimum of length of RMA or completion of criminal matters or 1-year active practice whichever is longest. ISNAP referral and enter into an RMA if deemed appropriate, signed board orders, quarterly reports, 1-year active practice, keep Board apprised of info, reporting requirements. Shininger agreed to the terms.
18. Kristin Sturdivant: Sturdivant appeared for a positive response on her renewal application. She disclosed a misdemeanor disorderly conduct conviction from 2021 and a termination from her employment from Miller's Merry Manor in 2021. She indicated that termination was due to signing out narcotic medications inappropriately. Her criminal case probation has been complete since June 2022. The case didn't involve the use of alcohol or drugs. She currently works at Angels' of Mercy in Logansport and they are aware of her prior arrest but not her termination. She has had no other issues with employment as a nurse and has been working since 2015. Her spouse recently died of suicide and she is working through that issue. The ALJ recommended renewal of the license free and clear.
19. Maynard Rodney Payne: Payne applied for reinstatement with an IN license that expired in 2017. He has a current Ontario RN license with no discipline and no lapses in licensure. He currently lives and works in Ontario. The ALJ recommended reinstatement of the license.
20. Steven C. Wardian: Wardian appeared for a positive response on his renewal application. He is licensed in IL and MI and was disciplined in Michigan due to a patient complaint. That patient complaint related to inappropriate touch of a patient. His is already on probation in Michigan. The ALJ recommended renewal with referral to OAG since the MI order hasn't been uploaded to Nursys for the ALJ to view.
21. Rebecca Craven: Failed to appear. Reschedule.
22. Rebecca Swing Wallis: Failed to appear. Reschedule.

23. Joshua Michael Devoe Mendoza - VACATED
24. Jamie Lynn Johnson - CONTINUED
25. Nicole Suzanne Wilson: Failed to appear. Reschedule.
26. Troy Rudy: Rudy appeared for a positive response on his renewal application. He had a pretrial diversion agreement related to an incident with his then wife when there was strife in the marriage. He put a tracker on her car and he was charged with stalking. He actually put trackers on two cars. His contact with his children was never limited by DCS/the Court throughout the divorce/criminal case. He has made an attempt to parent his children with minimal contact with his ex-wife, including leaving the place of work where they both used to work. He is currently working as a crisis counselor with Elevance Health. The ALJ recommended renewal on probation for minimum of 1 year (1-year active practice) or resolution of criminal matter, whichever longer. Quarterly reports, signed board orders, keep board apprised of info, reporting requirements. Rudy agreed to the terms.
27. Jessica L. Hawkins: Hawkins appeared for a positive response on her renewal application. She was arrested for OVWI after driving into a field. Her BAC was 0.217. She reported that she drank liquor in a short amount of time. She completed 60 days of rehab and is in IOP. She self-reported to IPRP and has a 5-year RMA. She is on criminal probation for 1 year. She is compliant except for one missed test which she can make up, per Abigail Rosa. She reports a sober date of June 2023. She is currently working in long term care, and her employer is aware of her criminal case, addiction issues, and nursing board appearance. The ALJ recommended indefinite probation for the length of her RMA or length of her criminal probation, whichever is longer. Active practice for 1 year, signed board orders, quarterly reports, keep board apprised of info, reporting requirements. Hawkins agreed to the terms.
28. Paula Stephens-Bibeau: Stephens-Bibeau appeared for a positive response on her renewal application. She reported an OWI with a BAC of 0.13. She is on criminal probation through March 2023. She reports that she is retired. She has not contacted ISNAP. The ALJ recommended renewal on indefinite probation for length of criminal probation or RMA. Must contact ISNAP and enroll in RMA if one is recommended. Quarterly reports or self-reports, signed board orders if relevant, reporting requirements, and keeping the board apprised of her information. No active practice because she reported that she is retired. Stephens-Bibeau agreed to the terms.
29. Sarah Marie Hall: VACATED
30. Marlene Fair: Fair appeared before the Board with a positive response for pending criminal case. Referral to OAG and renew.
31. Carlos Gutierrez: Gutierrez appeared for a positive response on his application. His criminal case was dismissed from his pretrial diversion successfully. The ALJ listened to multiple calls to PLA Gutierrez made during the pendency of his application. The ALJ admonished Gutierrez that the way he spoke to PLA staff was not professional. Gutierrez agreed and expressed regret. The ALJ recommended allowing to test with issuance free and clear if he passes NCLEX.
32. Susanne Gale Miller: Miller appeared for reinstatement for a license that expired in 2015. The ALJ recommended completion of a refresher course with a clinical component prior to working and reinstatement.
33. Krystle D. Rolfsen - CONTINUED
34. Megan McCall: McCall appeared for a positive response on renewal application. She was terminated due to a documentation errors. She administered medication and failed to document. For one patient, this was administration of Xanax, which she failed to document due to an emergent issue with another patient. The other issue was for a patient who was intubated, who she gave pain meds (dilaudid and morphine) to and didn't document that due to giving CPR to another patient. In total, there were three med errors. She expressed regret and that she has

learned from these incidents. The three errors occurred in the course of roughly a one-month period. She is currently in therapy. The ALJ recommended renewal on probation for indefinite probation for a minimum of 6 months of active practice, ISNAP assessment and RMA signed if one is recommended. If enters RMA, must sign. Length is the longer of RMA or 1-year active practice. Quarterly reports, signed board orders, keep board apprised of her info, reporting requirements. McCall agreed to the terms.

35. Tammie McLean: McLean appeared for a positive response on her renewal application. She is currently in a diversion agreement for harassment charges because she kept calling a woman her then boyfriend was seeing. The ALJ recommended renewal free and clear since the criminal matter seems to be a personal matter unrelated to nursing practice.
36. Rosston Smith: Initial application. The applicant has already tested. The positive response document was a subpoena directed at Smith to give testimony. Not a case against him. The ALJ recommended issuance free and clear.
37. Jodi Lyn Davis: Failed to appear. Reschedule.
38. Alexandra Marie Spillers: Spillers appeared for a positive response on her renewal application due to an OWI. Her BAC was self-reported as 0.19. The criminal case has probation that is due to end in October 2024. The ALJ recommended renewal on indefinite probation for the length of criminal probation or RMA if she is recommended one, or 1 year of active practice, whichever is longer. ISNAP Evaluation is required. Signed board orders, quarterly reports, keep board apprised of info, reporting requirements. Spillers agreed to the terms.
39. Varun Katragadda: Failed to appear. Reschedule.
40. Emily N. Chambon: Chambon appeared for a positive response on her renewal application because she was terminated from IU Health for adding the parent of one of her foster children to the access for the child's patient record. She has obtained subsequent employment and expressed contrition for her HIPAA violation. She has completed CEs since the event in HIPAA and patient privacy. She indicated that she told her subsequent employer about the termination prior to working there. The ALJ made a recommendation to renew free and clear.
41. Kate Weiler: Weiler appeared for a positive response on her renewal application with counsel Josh Timmons. Weiler currently resides in Idaho where she works in an ICU. In May 2022, she was arrested for suspicion of OWI, but the breathalyzer that indicated a BAC of 0.19 was invalidated. The amended charges were inattentive driving. She was given a pretrial diversion agreement. She completed an assessment that did not find any issues with substance use. The matter is set to complete in December of this year. The ALJ recommended renewal free and clear given the charge was inattentive driving, although the case is still on pretrial. The ALJ identified mitigating factors: the letters of recommendation from current colleagues and success on her existing probation, and the fact that the charge was careless/inattentive driving.
42. Aisha Havill: Havill appeared for a positive response on her renewal application. She disclosed a charge for trespassing/residential entry where she pleaded guilty. She completed 24 hours of criminal probation. She's done with the criminal case and the ALJ felt there were substantial mitigating factors. The ALJ recommended renewal free and clear.
43. Ashlee McIntosh: McIntosh appeared for a positive response on renewal for theft (value of \$60). She has a pretrial that began in February 2023 and has roughly one more month until the pretrial is set to end. Because the pretrial isn't over, the ALJ recommended referral of a complaint to OAG.
44. Alyssa N. Cabrera: Cabrera appeared for a positive response on her renewal application due to leaving the scene of an accident where she forgot to leave a note on a parked car that she hit because she was rushing to a child's baseball game. According to MyCase the case is dismissed. The ALJ recommended renewal free and clear.

45. Samantha Lynne Schwer: Failed to appear. Reschedule.
46. Daniel S Duncan: Duncan appeared for a positive response on his renewal application. He had corrective action from work. The ALJ felt the issue was behavioral and not practice related. Therefore the ALJ recommended renewal free and clear.
47. Kyle Chasteen - VACATED
48. Laura Kincaid - CONTINUED
49. Tanya Sue Rosheck: Failed to appear. Reschedule.
50. Michele Rae Altepeter - CONTINUED
51. Angelic Waddy: Waddy appeared for an initial application. The case remains pending for OWI. The ALJ recommends allowing to test and referral to OAG.
52. Amber Sanders: Sanders appeared for an initial application. The conviction is done and she is on probation through May 2024. The ALJ recommended allowing the applicant to test. Once she passes, issuance on probation for the length of criminal probation or RMA if one is recommended, active practice of 1 year, whichever is longest. Must get ISNAP evaluation. Quarterly reports, signed board orders, keep board apprised of changes, reporting requirements.
53. Rosemary Cochran: Cochran appeared for a positive response on her renewal application along with counsel Patrick Callahan. Cochran was disciplined at her work for a medication error. She grabbed the incorrect medication and administered it to a patient. The patient had to be intubated due to the medication error but that was taken out the next day. This was not her patient, she was just helping. She expressed deep regret regarding the situation. The ALJ recommended renewal free and clear due to the testimony.