

**MINUTES OF THE**  
**INDIANA STATE BOARD OF NURSING**

on  
Thursday, February 15th, 2024  
at 8:30 a.m.

**Indiana Government Center South  
Conference Center, Room B  
302 W. Washington St.  
Indianapolis, IN 46204**

**Board Members Present:**

Jennifer Miller, MSN, RN  
Kim Cooper, MSN, RN  
Angela Morris, MSN, RN  
Jason King, DNP, RN  
Julian Gallegos, PhD, RN, FNP-BC  
Emily Segó, DNP, RN  
Nancy Juengst, LPN  
Rena Magers, LPN  
Jessica Harlan-York, JD

**Advisory Counsel:**

Donald Hannah  
Claire Dyer

**PLA Staff:**

Nicholas Hart  
Toni Herron  
Kayla Perkins  
Ashlee Gentry  
Rebecca Tinsley  
Catherine Briney  
Dinena Moore

**Court Reporter:**

Molly Fish

**I. Call to Order and Establishment of Quorum** **8:30 a.m.**

**II. Adoption of the Agenda**

A motion was made and seconded to adopt the agenda. Morris/Sego 9-0-0.

**III. Adoption of the Minutes**

1. Minutes of the Meeting on January 18, 2024

A motion was made and seconded to approve the minutes. Magers/Gallegos 9-0-0.

2. Minutes of the ALJ Meeting on February 1, 2024

A motion was made and seconded to adopt the minutes. King/Sego 9-0-0.

#### **IV. Adoption of ALJ Recommendations**

1. Adoption of the ALJ Recommendations of January 18, 2024

A motion was made and seconded to adopt the ALJ recommendations. Magers/Juengst 9-0-0.

#### **V. Adoption of Recommended Orders**

1. Elizabeth McElheny
2. Justin Butler
3. Caitlin Clem
4. Emily Ehrigott
5. Julie Jacot
6. Renee Mulgado
7. Leanna LaLime
8. Stacey Beard
9. Skyla Melhiser
10. Joshua Blackwell
11. Louis Buckmeier
12. Kyra Taylor
13. Alese O'Donnell
14. Valerie Jenkins

A motion was made and seconded to adopt recommended order 1. Juengst/Magers 9-0-0.

A motion was made and seconded to adopt recommended orders 2-7. King/Gallegos 9-0-0.

A motion was made and seconded to adopt recommended order 8. King/Juengst 9-0-0.

A motion was made and seconded to adopt recommended orders 9-14. King/Gallegos 9-0-0.

#### **VI. Education**

1. 2023 Annual NCLEX results report with standard deviation

Education Compliance Officer Toni Herron stated that the standard deviation for NLCEX scores had been received from NCSBN. Ms. Herron reminded the Board that Indiana is only one of 5 states in the U.S. that use this calculation as a benchmark of success upon which nursing education programs in the State are evaluated. Other states use a percentage of NLCEX pass rates – usually 70 or 80%.

The standard deviation is determined based on the national mean. The mean for RN programs for 2023 is 86.68 and the standard deviation is 17.74, meaning a score above 70.8 is required for a program to be judged compliant. The mean for PN testers was 86.68 and the standard deviation is 21.81, requiring a score of 64.8 to be compliant. Using this data, all PN programs met the benchmark. For RN programs, there was one BSN program failing to meet the benchmark (Chamberlain University) and 2 ASN programs down 4 years consecutively (Ancilla College and Fortis College); 2 programs down 2 years consecutively (ITCC Lake County and ITCC Marion); and 1 ASN program down one year (University of St. Francis Crown Point). As per Board precedent, programs down one year are sent a “Letter of Concern” by the Board (Chamberlain & USF-CP); programs down two years are invited to appear before the Board with an evaluation of factors affecting the pass rates (ITCC Lake County & ITCC Marion), and programs down 3 years or more will receive a site visit to

evaluate the accreditation status of the program. Since Ancilla College has closed their ASN program, no visit is required but a site visit to Fortis College will be scheduled in the next 30 days, with a report back to the Board by April, at the earliest. Board member Angie Morris will accompany Ms. Herron on the announced site visit.

2. Fortis College monthly report and SPE revision – Shauna Smith DNP, MSN Ed., RN

Shauna Smith and Tony Smarrella appeared on behalf of the program. Fortis submitted the third revision of the Systematic Plan of Evaluation (SPE). Reference was made in the report that only 20 of 100 nursing students completed the survey. Mr. Smarrella stated that it was not required of students to complete. Ms. Cooper suggested making it part of post-conference to increase completion rates. Ms. Smarrella said that the survey will be conducted again in May 2024 and that the process will change to ensure better compliance with completion. Ms. Cooper complimented the improvement in the SPE but recommended imbedding a link to the documents that are currently presented as appendixes in the SPE that better reflect progress in meeting a criterion. Ms. Herron stated that a site visit is planned, and that Fortis will appear back before the Board upon completion of that site visit. Ms. Morris made a motion to accept the report and SPE and Dr. Gallegos seconded. Motion carried 9-0-0.

3. Ivy Tech Community College Lake County NCLEX concerns – Jennifer Philbin MSN, RN

Ms. Philbin, Dr. Kimberly Mau and Dr. ELizabeth Nutt appeared on behalf of the program. Ms. Philbin said that the campus had done a drill down to identify factors affecting student success rate in testing. It was found that graduates were either testing too early or too late. Graduates shared that in some cases, employers were pressuring the graduates to test early, rather than wait and complete the remediation recommended by ITCC. Other graduates were waiting >6 months because they didn't feel ready. Working with ATI, a review plan that is unique to each individual is created to maximize success. Graduates are encouraged to test within 45 days of program completion. Another factor identified was faculty and administrative turnover. Experienced faculty and administrators for the campus either retired or chose to leave, with faculty that were hired to replace them having little teaching experience. A more comprehensive onboarding process for new faculty is in place and appears to be successful. Board member Dr. Segoo made a motion to accept the report and MS. Morris seconded. Motion carried 8-0-0 (Cooper recused).

4. Ivy Tech Community College Marion NCLEX concerns – Michelle Dickey DNP, RN

Dr. Dickey, Dr. Mau and Amanda Gaskill, faculty, appeared on behalf of the program. Dr. Dickey identified a couple of factors that appear to affect NCLEX scores. ITCC Marion has the lowest admission scores in the state. Personal problems appear to affect student success. Availability of access to a laptop and internet access were specifically identified. Mandatory test remediation for students scoring less than 75% has been instituted and take place with the Dean, nursing faculty and RN tutors. Faculty turnover was also a factor. Onboarding and mentoring new faculty during the pandemic was a challenge. Faculty with previous teaching experience are now on board. Additional review course was made available through funding through a mini-grant. Students who did not access the Hurst review were unsuccessful in first attempt testing. Board member Dr. Julain Gallegos made a motion to accept the report and Ms. Morris seconded. Motion carried 8-0-0 (Cooper recused).

5. FYI ONLY :

- i. Chamberlain University response to NCLEX Letter of Concern
- ii. Purdue Northwest names Amy Fry PhD., RN Dean of Nursing effective 01/01/2024. (CV attached)

## VII. Discussion Items

1. OAG Report

Amy Osborne, Section Chief of Licensing Enforcement, delivered the report.

2. Director's Report

Nick Hart, ISBN Director, delivered the report.

3. ISNAP Report

Tracy Traut, ISNAP Program Director, delivered the report.

4. Report from CAPNI

Angela Thompson delivered the report.

**VIII. Proposed Settlement Agreements**

1. Mahogany Harris
2. Jennifer Adams
3. Heather Cannella
4. Chauneesha Lester
5. LaShauna Thomas – approved on January 18th
6. Rebecca Navel
7. Susan Martinez
8. Kimberly Martin
9. Hannah Paige

A motion was made and seconded to accept proposed settlement agreement 1. King/Magers 9-0-0.

A motion was made and seconded to accept proposed settlement agreements 2-5, 7, and 8. Gallegos/Cooper 9-0-0.

A motion was made and seconded to accept proposed settlement agreement 6. Cooper/Harlan-York 8-0-1.

A motion was made and seconded to deny proposed settlement agreement 9. Cooper/Morris 4-5-0.

A motion was made and seconded to accept proposed settlement agreement 9. King/Gallegos 5-4-0.

**IX. Petitions for Summary Suspension**

1. In the Matter of the License of Brittany Drury, 27066070A - CONTINUED  
Administrative Cause No. 2013 NB 0075
2. In the Matter of the License of Cassandra King, 27065021A  
Administrative Cause No. 2024 NB 0027  
Re: Voluntary Suspension Agreement  
DAG: Alex James  
Respondent: not present  
Witness(es): none  
Exhibit(s): none

A motion was made and seconded to accept the voluntary suspension agreement. King/Cooper 9-0-0.

3. In the Matter of the License of Cassandra Bass, 28090450A (Supplemental Petition)  
Administrative Cause No. 2023 NB 0071

DAG: Autumn Murphy  
Respondent: Failed to appear  
Witness(es): none  
Exhibit(s): Exhibits F-H

A motion was made and seconded to suspend Respondent's license for 90 days. Morris/Gallegos 7-0-0.

4. In the Matter of the License of Amanda Murchie, 27064722A  
Administrative Cause No. 2016 NB 0381  
DAG: Rebekah Hammond  
Respondent: Failed to appear  
Witness(es): Kristena Terry with OAG, Tracy Traut with ISNAP, Nick Hart with ISBN  
Exhibit(s): State's Exhibit(s) 1-8

A motion was made and seconded to suspend Respondent's license for 90 days. King/Morris 9-0-0.

## **X. Summary Suspension Renewals**

1. In the Matter of the License of Miranda Kahn, 28212459A  
Administrative Cause No. 2023 NB 0024  
Re: Voluntary Suspension Agreement  
DAG: Natalie Stidd  
Respondent: failed to appear  
Witness(es): none  
Exhibit(s): none

A motion was made and seconded to renew the summary suspension for 91 days. Morris/King 7-0-0.

2. In the Matter of the License of Erin Caine, 28212908A  
Administrative Cause No. 2021 NB 0132  
DAG: Whitney Cooper  
Respondent: Failed to appear  
Witness(es): none  
Exhibit(s): none

A motion was made and seconded to renew the summary suspension for 91 days. King/Harlan-York 7-0-0.

3. In the Matter of the License of Jamie McCracken, 2703409A  
Administrative Cause No. 2021 NB 0036  
DAG: Whitney Cooper  
Respondent: Failed to appear  
Witness(es): none  
Exhibit(s): none

A motion was made and seconded to renew the summary suspension for 91 days. Gallegos/Harlan-York 7-0-0.

4. In the Matter of the License of Kendra Nelson, 27074837A  
Administrative Cause No. 2021 NB 0111  
DAG: Whitney Cooper  
Respondent: failed to appear  
Witness(es): none

Exhibit(s): none

A motion was made and seconded to renew the summary suspension for 90 days. King/Morris 7-0-0.

5. In the Matter of the License of Jodi Jackson, 27074751A  
Administrative Cause No. 2022 NB 0038  
Re: Voluntary Suspension Agreement  
DAG: Natalie Stidd  
Respondent: failed to appear  
Witness(es):  
Exhibit(s):

A motion was made and seconded to renew the summary suspension for 91 days. Gallegos/Juengst 7-0-0.

6. In the Matter of the License of Jennifer Wilson, 28094839A  
Administrative Cause No. 2023 NB 0096  
Re: Voluntary Suspension Agreement  
DAG: Natalie Stidd  
Respondent: failed to appear  
Witness(es):  
Exhibit(s):

A motion was made and seconded to renew the summary suspension for 91 days. Morris/Gallegos 7-0-0.

## **XI. Final Hearings**

1. In the Matter of the License of Christina Marks, CV2100060/ 28281712A&C  
Administrative Cause No. 2023 NB 0001  
DAG: Alex James  
Respondent: Failed to appear  
Witness(es): none  
Exhibit(s): none

A motion was made and seconded to issue a Notice of Proposed Default for Respondent's failure to appear. King/Harlan-York 7-0-0.

2. In the Matter of the License of Susan Martinez, 28147402A – CONTINUED/PSA  
Administrative Cause No. 2022 NB 0109
3. In the Matter of the License of Hannah Paige, 28259352A – CONTINUED/PSA  
Administrative Cause No. 2022 NB 0072

## **XII. Full Board Personal Appearances (1-10 at 10:00 am, 11-40 at 12:00 p.m.)**

1. <sup>1</sup>\*Krista Nicole Lubbehusen: Lubbehusen appeared for a positive response on her RN renewal application. Her positive response related to falsification of a government document while working for the federal prison in Terre Haute. She indicated that she made a mistake about a consent document for

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<sup>1</sup> \* Indicates that this is the second time licensee/applicant has been set for personal appearance

an inmate and that resulted in a disciplinary finding of falsification. She is administratively appealing this incident which occurred in June 2021. King/Sego 7-0-0 renew free and clear.

2. \*Jacob Neil Fitzhugh - VACATED
3. \*Kathleen Breen Varley - VACATED
4. \*Kyle Aaron Larson
5. \*Sarah McCulloch Cleary -VACATED
6. \*Kindall Ray
7. \*Allison Colbert: Colbert appeared for a positive response on her RN renewal application. The matter is already under OAG investigation which is still pending. Gallegos/King 7-0-0 renew and refer.
8. \*Rachael Talpas - VACATED
9. \*Shawn Frost
10. \*Jennifer Lynn Shortridge
11. \*Peggy Hsinping Yen
12. \*Jessica Lynn Hallam: Hallam appeared for a positive response on her RN renewal application. She disclosed that she was reported at work in June 2022 for suspicion of working under the influence. They completed a drug test which resulted positive. She reported having serious mental health issues. She confessed to HR that she had a substance use issue. She completed partial hospitalization and IOP. She is enrolled in an RMA with ISNAP and has been for 18 months. She reports being in compliance. She is working at a mental health and substance abuse treatment facility. She currently has pending OAG consumer complaints related to this incident. King/Harlan-York 7-0-0 renew and refer.
13. \*Andrea Patricia Titus
14. \*Alison Louise Young: Young appeared for a positive response on her RN renewal application. She was arrested in September 2023 for OWI and she has since settled the criminal case. She is not aware of her BAC because it was never provided to her. She reported that the OWI occurred after a hard day when she went out and had a few drinks. She was pulled over for sitting at a green light. She is on probation for a year from December 2023. The probation is supervised. This was her first OWI. Renew on probation for the length of her criminal probation or 6 months of active practice which in this instance may include her role as hospital information services. Signed board orders, quarterly reports, reporting requirements, keep board apprised. King/Morris 7-0-0. Young agreed to the terms.
15. \*Amanda Sue Barker: Barker appeared for a positive response on her RN renewal application. Barker indicated that she drank too much at a wedding and this resulted in an OWI. She is currently on criminal probation through September 2024. She sees a therapist weekly on her own to discuss coping strategies. She doesn't drink anymore. Her BAC was .1 something. She is working in a long-term care facility. She has no other previous criminal issues. Motion to renew her license on probation for the length of her criminal probation or 6 months active practice or RMA, signed board orders, quarterly reports, reporting requirements, keep board apprised. Must obtain ISNAP assessment and enroll if RMA recommended and maintain compliance for length of probation. Sego/Morris 7-0-0. Licensee agreed to terms.
16. \*Michelle Jean Collins: Collins appeared for a positive response on her RN renewal application. She indicated that she was terminated from a home health agency in 2022 during a personal mental crisis. She returned to work while she was under the influence of alcohol. She has completed IOP and is in counseling. She is in the KY Care program for 5 years (ISNAP equivalent). Her sobriety date is October 13, 2022. She was working in the office, not in patient care. She is working as a staff nurse in long term care with success. She is doing well at work and they are aware of her history. She has no other criminal or legal matters. She disclosed the filing of a consumer complaint against herself or perhaps PLA filed the complaint. Motion to place her license on probation for minimum of length of RMA or 1 year active practice whichever longer, signed board orders, quarterly reports, keep board apprised, reporting requirements. King/Miller 7-0-0. Licensee agreed.
17. \*Tracy Lee DePoy: Depoy appeared for a positive response on her RN renewal application. She disclosed a criminal case that related to a disagreement with an ex-husband where she left the home after having consumed alcohol. She has completed the criminal probation. She has pending harassment

charges against her husband. She completed extra community service hours on top of those required for probation. She previously completed ISNAP on her own a few years ago. Renew free and clear. King/Miller 6-1-0.

18. \*Michael Allen Doersam: Doersam appeared for a positive response on his RN renewal application. He provided no positive responses but is actually on probation in Illinois currently for disorderly conduct related to an incident with his ex-wife. He pleaded guilty in June 2023 and is on probation for a year since that date. Has worked for same employer since 2010 and they are aware of this issue. Motion to renew his license on probation for the length of criminal probation or 3 months whichever longer, Signed board orders, quarterly reports, keep board apprised, reporting requirements. Morris/Sego 7-0-0. Licensee agreed to terms.
19. \*Haley E. Weisenbach - VACATED
20. \*Shelbie Hashem: Hashem appeared for a positive response on her RN renewal application. She has had 3 DUIs in 2011, 2014, and 2019. She appeared for a personal appearance in 2021 related to these issues and the order was never issued that was meant to place her on probation. She is currently sober and enrolled in an RMA with ISNAP and remains in compliance. She's in EAP and completed the substance use treatment portion of the criminal cases. She reports that she had issues with childhood trauma. King/Miller renew on probation for length of RMA or 1 year active practice (whichever longer), signed board orders, quarterly reports, keep board apprised, reporting requirements. Agreed to terms. 7-0-0.
21. \*Teresa Buroker: Buroker appeared with counsel Tom Hirschauer having made a positive response on her RN renewal application. She was convicted of OWI in Steuben County, Indiana. The probation is to lift as of March 2024. Morris/King to renew free and clear 7-0-0.
22. \*Patricia Guzzo
23. \*Emily Ehrgott - VACATED
24. \* Joanne Bramer: Bramer appeared for a positive response on her RN renewal application. She was terminated for failing to complete a full assessment of a 10-year-old patient. The employer indicated that she documented completion of assessment and was not in the patient's room at the time of the documented assessment. She had one previous disciplinary issue at that employer where she had worked for 2.5 years. Renew and refer. Gallegos/Sego 7-0-0.
25. \*Kenyatta O'Hearn
26. \*Susan Greene
27. \*Stephani Merrell
28. \*Patricia Major
29. \*Brenda Kay Erratt: Erratt appeared for a positive response on her RN renewal application. She was terminated for a position in Texas due to failing to complete orientation within the employer's eight-week period. The termination occurred in March 2022. She has had subsequent employment that has gone well. She was coached at that subsequent employer. Motion to renew free and clear. King/Gallegos 7-0-0.
30. \*Rebecca Lynn Swing Wallis
31. \*La'Shay Brinson: Brinson appeared for a positive response on her RN renewal application. She disclosed an OWI conviction from California. She is on 3 years of unsupervised probation from California, which began in 2023. She is working in California and flew to be in Indiana for the PA. Her BAC was .12 and she was pulled over due to driving the wrong way on a one way street. She's been a nurse since 2016 and hasn't ever been in trouble. Reported that California Board is aware of the incident and hasn't taken disciplinary action. Mitigating factors: first time offense, BAC was "low," she was credible in her testimony before the Board. King/Harlan-York 7-0-0.
32. \*Cynthia A Hunter
33. \*Linday Kaye Lauer
34. \*Angela Kay Selzer: Selzer appeared for a positive response on her RN renewal application. She missed a parameter and gave a patient the wrong blood pressure medication during a travel assignment. The patient had no long-term health impact but was escalated to a higher tier of care to monitor the

condition. Later there was an issue where she administered insulin to a patient who later had an adverse event. After this, her contract was terminated with Deaconness, but her contract with the agency was maintained. She now works in long term care in Bloomington and has been there since November 2023 without incident. She indicated that she felt the medication error was fueled by being rushed or understaffed. She indicated that she had never been in trouble for a medication error and had multiple travel contracts that ended successfully. Motion to renew free and clear. King/Cooper 9-0-0.

35. \*Lori Annette Watson

36. \*Lateefat Bronson

37. \*Kevin Kimemia - VACATED

38. \*Allie N Yoder: Yoder appeared for a positive response on her RN renewal application. She provided a positive response related to an OWI in July 2023. She went to a restaurant after shift with a coworker and they drank, she was subsequently arrested for OWI. She recalls that her BAC was 0.22. She completed all requirements and is not on probation. She has had no issues with work but has not disclosed the criminal case at the time of PA. She then amended this statement and indicated that her employer is aware that her renewal application is under review. Motion to renew on probation for 1 year active practice...keep board apprised, reporting requirements, signed board orders, quarterly reports, ISNAP evaluation and RMA if recommended. Aggravating factors: substance use disorder was diagnosed through criminal court with no follow-up, high BAC, no follow up regarding her own diagnosis, recency of event. Segó/Cooper 4-5-0. Motion failed. Motion to renew free and clear. King/Gallegos 5-4-0. Motion carries.

39. \*Morgan Burnett: Burnett appeared for a positive response on her RN renewal application. Burnett disclosed that in November 2022 she was charged with OWI one evening and doesn't recall the incident. She completed all requirements of her through the criminal case. The criminal probation ended in March 2023. Her BAC was 0.21 at the time of arrest. Motion to place on probation for 1 year with RMA or 1-year active practice. Segó/Morris 8-0-1. Burnett agreed to the terms. Aggravating factors: high BAC, admission from Burnett that she may have been heading down a road towards alcoholism, volume of self-disclosed alcohol ingestion, disclosure of alcohol use as coping mechanism.

40. \*Jennifer Ann Hammond: Hammond appeared for a positive response on her RN renewal application. She disclosed that while working with a CNA where she disagreed about the fact that a patient was left in a chair overnight. Both Hammond and the CNA were held responsible and both were suspended to 2 days. She was given in service training and CE after this. The patient was not harmed. She reported that typically she rounds 3 to 4 times a night but on the night of the incident the nursing home was short-staffed. There were 2 CNAs for 60 patients. There was only 1 nurse, 1 QMA, 2 CNAs on duty that evening. She reports that she'd never been written up and only had a couple of attendance issues due to kidney stones. Gallegos/King 7-0-0 renew free and clear.

41. Scott Helmcke: Helmcke appeared with counsel Lorie Brown. Brown indicated that Helmcke has addiction issues and multiple criminal cases, most recently from 2020. He is currently enrolled in an RMA and has 14 months of compliance. He reported a sobriety date of September 2022. Abigail Rosa indicated that the Respondent has been in an RMA since entry in November 2022. He is in a 5-year RMA. First criminal case for DUI, next public intoxication, and final one was resisting law enforcement. Each of these occurred in Jasper County. Two of the cases were in 2020, one was in 2021. Helmcke last worked in 2018 or 2019. He wasn't working as a nurse at the time of the criminal cases. He previously worked in long term care and step-down rehab. He has completed all criminal probation. He attends AA and has completed IOP and PHP in 2022. He remains seeing a therapist. Motion to reinstate on probation, with completion of refresher course with a clinical component, for the length of his RMA, signed board orders, quarterly reports, keep board apprised, reporting requirements. Gallegos/King 7-0-0. Licensee agrees.

A motion was made and seconded to deny all applications where the applicant failed to appear. 7-0-0.

**XIII. Pre-Hearing Settlement Conference (Room 3, 11:00am, conducted by Kim Cooper & Rena Magers)**

1. In the Matter of the License of Cameron Kitchell, 71014062A/28202553A&C  
Administrative Cause No. 2023 NB 0130
2. In the Matter of the License of Morgan Helper, 28244397A  
Administrative Cause No. 2020 NB 0078
3. In the Matter of the License of Robin Uberta, 28207599A  
Administrative Cause No. 2023 NB 0048
4. In the Matter of the License of Victoria Bell, 28107223A  
Administrative Cause No. 2021 NB 0098
5. In the Matter of the License of Summer Bilbrey, 28231501A  
Administrative Cause No. 2023 NB 0072
6. In the Matter of the License of Jade Freiburger, 28195302A  
Administrative Cause No. 2023 NB 0051
7. In the Matter of the License of Tammy Harvey, 28130741A  
Administrative Cause No. 2023 NB 0052
8. In the Matter of the License of Kelly Tiemens, 28233019A  
Administrative Cause No. 2017 NB 0250

**XIV. Adjournment**

**Upcoming Board Meetings:**

<u>Date</u>	<u>ALJ/Full</u>	<u>Location</u>
March 7	ALJ	Virtual
March 21	Full	Conference Room B