

**BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2016 NB 238**

IN THE MATTER OF THE LICENSE OF :
SAMANTHA ANN JONES, R.N.,
LICENSE NO: 28190396A



FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER

The Indiana State Board of Nursing (“Board”), held an administrative hearing on September 15, 2016 in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, concerning the complaint filed against the Indiana nursing license of Samantha Ann Jones, R.N. (“Respondent”) on or about June 1, 2016.

The State of Indiana (“Petitioner”) was represented by Deputy Attorney General Drake T. Land. The Respondent failed to appear in person or by counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 6-0-0, found Respondent to be in default. The Board then held further proceedings in Respondent's absence, and, by a vote of 6-0-0, issues the following Findings of Fact and Order:

FINDINGS OF FACT

1. Respondent is a Registered Nurse (“R.N.”) in the State of Indiana, having been granted RN License Number 28190396A on June, 10, 2010 by the Indiana State Board of Nursing (“Board”).
2. Respondent’s address on file with the Board is 2583 Franks Drive, Madison, Indiana 47250.

3. Respondent began employment with Walgreens Pharmacy in August, 2014 as a Photo Specialist.

4. On or about November 28, 2014, a tightly rolled dollar bill coated in a white powdery substance was found in the candy aisle at the Walgreens where Respondent worked.

5. On November 28, 2014, Respondent admitted the rolled dollar bill was hers. Respondent claimed she used the dollar bill to snort crushed Xanax pills.

6. Respondent stated she abused Xanax and often went into the bathroom at work to crush and snort the pills. Respondent claimed taking the pills orally caused her to become drowsy, but snorting the pills did not cause this same effect.

7. Respondent maintained a prescription for Xanax but admitted that she had "bought [additional Xanax] from a couple friends of [Respondent's] when she run[s] out." Respondent also admitted to giving away a couple Xanax pills from Respondent's prescription on occasion.

8. On March 17, 2015, Respondent began employment as a Nurse at The Waters at Clifty Falls in Madison, Indiana.

9. On April 15, 2015, Resident 1 at The Waters reported not receiving his scheduled Hydrocodone. Respondent had signed out the scheduled Hydrocodone for Resident 1.

10. An internal investigation at The Waters determined that a second resident had not received pain medication for one month. A review of Resident 2's MAR showed that Respondent had signed out Oxycodone for Resident 2 during that period.

11. Respondent submitted to a reasonable suspicion drug screen that was positive for opiates. Respondent reported maintaining a prescription for Hydrocodone, Roxicodone, and Subutex. Respondent's employer requested that Respondent provide documentation of those

prescriptions. Respondent gave the name of her doctor, Leslie Smith, M.D., and a number that Respondent reported to be the doctor's telephone number.

12. Respondent's employer called the provided telephone number and spoke to a person who purported to be Leslie Smith, M.D. The person stated that she had provided Respondent with a script for Oxycodone on April 14, 2015. The person also stated that Respondent had taken Suboxone prior to becoming a patient. When asked, the person stated that they would send a signed copy of all prescriptions.

13. No signed copy of prescriptions was ever provided.

14. Investigation performed by The Waters determined that the phone number provided did not belong to Leslie Smith, M.D., but rather to a friend of Respondent who impersonated a doctor on the phone call.

15. A Leslie Smith, M.D., from Louisville, Kentucky confirmed that she had no record of Respondent.

16. Respondent's employment at The Waters was terminated.

17. Respondent's last known prescription for Hydrocodone was filled September 25, 2014.

18. Respondent is not engaged in the Indiana State Nurses Assistance Program ("ISNAP").

19. Respondent's nursing license expired on October 31, 2015.

ULTIMATE FINDINGS OF FACT

1. Respondent violated Ind. Code §25-1-9-4(a)(3), 848 IAC 2-2-3(6);
2. Respondent violated Ind. Code §25-1-9-4(a)(3), 848 IAC 2-2-3(7);
3. Respondent violated Ind. Code §25-1-9-4(a)(3), 848 IAC 2-2-3(11);
4. Respondent violated Ind. Code § 25-1-9-4(a)(1)(B); and

5. Respondent violated Ind. Code § 25-1-9-4(a)(8)(A).

CONCLUSION OF LAW

6. Respondent's violations are cause for disciplinary sanctions which may be imposed singularly or in combination, such as censure, letter of reprimand, probation, suspension, and permanent revocation, and the imposition of a fine in any amount up to \$1,000.00 per violation as detailed in Indiana Code 25-1-9-9.

ORDER

Based upon the above Findings of Fact, the Board issues the following Order:

1. Respondent's Indiana nursing license is hereby placed on an **INDEFINITE SUSPENSION** of not less than eighteen (18) months.
2. Prior to petitioning the Board for reinstatement, Respondent shall complete eighteen (18) consecutive months of full and complete compliance with an ISNAP Recovery Monitoring Agreement.
3. Respondent shall within ninety (90) days of this Final Order, pursuant to Ind. Code § 4-6-14-10 (b), pay a fee of **Five Dollars (\$5.00)** to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

Indiana Office of the Attorney General
Attn: Teresa Henson
302 West Washington Street, 5th Floor
Indianapolis, IN 46204.

4. Respondent further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of his license, or any violation of this Settlement Agreement may result in Petitioner requesting a summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Committee, or a new

cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

SO ORDERED, this 3rd day of October, 2016.

INDIANA STATE BOARD OF NURSING

By: Maureen Bennett
for Natalie Hall, R.N.
Board President
Indiana State Board of Nursing

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CERTIFICATE OF SERVICE

I certify that a copy of the "Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Samantha Ann Jones
2583 Franks Drive
Madison, Indiana 47250
Service by U.S. Mail

Drake T. Land, DAG
8005 Castleway Drive
Indianapolis, Indiana 46250
Drake.Land@atg.in.gov
Service by Email

Oct. 3, 2016
Date

Lisa Chapman
Lisa Chapman, Litigation Specialist

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Indiana Government Center South
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Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.