

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NO. 97 NB 060

STATE OF INDIANA,

Petitioner,

v.

JULIE ANN McCOY, R.N.,
License No. 28136218A,

Respondent.

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FILED
OCT 31 1997
HEALTH PROFESSIONS
BUREAU

COMPLAINT

The State of Indiana ("Petitioner"), by counsel, Jeffrey A. Modisett, Attorney General of Indiana, by John M. T. Chavis, II, Deputy Attorney General, pursuant to Indiana Code §25-1-7-7(b), files its complaint against Julie Ann McCoy, R.N. ("Respondent"), and in support thereof alleges and states:

1. The Attorney General of Indiana is empowered to bring disciplinary complaints in the name of the State of Indiana before the Indiana State Board of Nursing ("Board") pursuant to Indiana Code §25-1-7-1 *et seq.*
2. The Board is charged with the duty and responsibility of regulating the practice of nursing in the State of Indiana pursuant to Indiana Code §25-23-1-7.
3. The Board is empowered to hold this disciplinary hearing pursuant to the authority of Indiana Code §25-1-9-4 and Indiana Code §4-21.5-3 *et seq.*
4. Respondent's address is 1727 Country Lane Drive, Apt. 3H, LaPorte, Indiana, 46350.
5. Respondent is a duly licensed registered nurse in the State of Indiana holding license number 28136218A.

COUNT I

6. Respondent was employed as a registered nurse at LaPorte Hospital, LaPorte, Indiana. On June 5, 1997, Respondent was terminated from employment because of her diversion of Percocet (oxycodone), a Schedule II Controlled Substance.

7. Respondent diverted a total of ten Percocet tablets from the Pyxis system during the 11:00 p.m. to 7:00 a.m. shift on June 2, 1997, through June 3, 1997.

8. Respondent signed out the Percocet tablets to three different patients. These patients had no physician orders for Percocet.

9. Respondent also failed to document in the three patients' medical records that she removed the Percocet in their names.

10. On June 5, 1997, Respondent admitted to Linda Satkoski, R.N., Vice President of Human Resources and Support Services and Connie Ford, Vice President of Human Resources and Support Services, that she removed the Percocet tablets from the Pyxis system for her own personal use.

11. On June 5, 1997, the Respondent consented to participate in a structured rehabilitation program.

12. On July 17, 1997, the Respondent signed a contract with the Indiana State Nurses Assistance Program for help with a chemical dependency problem.

13. On July 28, 1997, the Respondent had a positive urine screen for marijuana. On August 5, 1997, Respondent reported to Dr. Cockrell that she had relapsed into the use of percocets.

14. On August 18, 1997, Dr. Cockrell met with the Respondent and her therapist, Roxanne Justus. Dr. Cockrell recommended a more intensive outpatient treatment program for the Respondent. Ms. Justus concurred with Dr. Cockrell's recommendations.

15. Respondent stated that it was not possible for her to undergo a more intensive treatment program because of financial strains.

16. On August 18, 1997, the Respondent's contract with ISNAP was terminated because she declined to undergo adequate treatment for her chemical dependency.

17. Respondent's conduct described above constitutes a violation of Indiana Code §25-1-9-4(a)(4)(D), to wit: a practitioner has continued to practice although the practitioner has become unfit to practice due to addiction to, abuse of, or severe dependency upon alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely; Ind. Code 25-1-9-4(a)(8), to wit: a practitioner has diverted a legend drug; and Ind. Code § 25-1-9-4(a)(3), to wit: a practitioner has knowingly violated any state statute or rule, or federal statute or regulation, regulating the profession in question, specifically, 848 IAC § 2-2-3(6), to wit: the practitioner's conduct constitutes unprofessional conduct by falsifying, omitting, or destroying documentation of nursing actions on the official patient/client record.

WHEREFORE, Petitioner demands an order against Respondent, Julie Ann McCoy, R.N. that:

1. Imposes the appropriate disciplinary sanctions;
2. Directs Respondent to immediately pay all costs incurred in the prosecution of this case;
3. Provides any other relief the Board deems just and proper.

Respectfully submitted,

JEFFREY A. MODISSETT
Attorney General of Indiana

By: 

John M. T. Chavis, II
Deputy Attorney General
Attorney No. 17797-49

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Complaint" has been duly served upon the party listed below by first class United State mail, postage prepaid this 31st day of October, 1997.

Julie Ann McCoy, R.N.
1727 Country Lane Drive, Apt. 3H
LaPorte, Indiana 46350



John M. T. Chavis, II
Deputy Attorney General
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