

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2007 NB 0090

IN THE MATTER OF THE LICENSE OF:

TINA LYNN MOORE, L.P.N.

License Number: 27054226A

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**FILED**  
**MAR 26 2010**  
Indiana Professional  
Licensing Agency  
)  
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**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

The Indiana State Board of Nursing ("Board") held an administrative hearing on March 18, 2010, in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, concerning Tina Moore's request to withdraw the probation from her license as a practical nurse.

Moore appeared in person and waived her right to be represented by counsel. Morgan Burton, Deputy Attorney General, represented the state of Indiana.

The Board, after considering the evidence presented and taking official notice of the file in this matter, by a vote of 3 to 2, issues the following Findings of Fact, Conclusions of Law and Order:

**FINDINGS OF FACT**

1. Moore, whose mailing address is 1058 Marion Street, Valparaiso, Indiana 46385, is a practical nurse with license number 27054226A.

2. Moore received timely and proper notice of the date, time and location of this hearing pursuant to Ind. Code § 4-21.5-3-20.

3. The Board is empowered to hold this administrative hearing pursuant to the authority of Ind. Code § 25-1-9-9 and Ind. Code § 4-21.5-3.

4. The Board placed Moore's license on probation in September 2007 because over a period of about two and half years she had experienced incidents at work where she had cussed a patient, committed medication errors, reported for duty under the influence of alcohol and struck an agitated and violent patient when he could not be calmed.

5. In February 2010, Moore asked that the probation on her license be withdrawn.

6. At the hearing on withdrawal of probation, Moore testified that she complied with the terms of her probation which included doing continuing education, obtaining a psychological evaluation and anger management counseling.

7. The deficiency that led to the probation on Moore's license involved incompetent practice and sub-standard care giving. Moore's compliance with her probation constitutes evidence that the deficiency that required probation has been remedied.

#### CONCLUSIONS OF LAW

1. "The board may withdraw or modify the probation ... if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed circumstances warrant a modification of the order." Ind. Code § 25-1-9-9(b).

2. Moore's compliance with her probation constitutes evidence that the deficiency that required probation has been remedied.

**ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board  
**WITHDRAWS** the probation on Moore's license.

SO ORDERED, this 26<sup>th</sup> day of March, 2010.

INDIANA STATE BOARD OF NURSING

By: 

*for*  
Frances L. Kelly  
Executive Director  
Indiana Professional Licensing Agency

Copies to:

Tina Lynn Moore, L.P.N.

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Valparaiso, Indiana 46385

**CERTIFIED MAIL NUMBER: 7006 2760 0003 4664 0306**

**RETURN RECEIPT REQUESTED**

Morgan Burton

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