

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NO.: 86 NB 028

STATE OF INDIANA,
Petitioner,
v.
SANDRA MILLER, R.N.,
Respondent.

FILE

NOV 9 1992

HEALTH PROFESSIONS
BUREAU

FINDINGS OF FACT AND ORDER

The Indiana State Board of Nursing (hereinafter "Board") met on October 22, 1992 in rooms 4 and 5 of the Conference Center, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana to consider a proposed settlement concerning Sandra Miller's (hereinafter "Respondent") Petition for Reinstatement of License. The proposed settlement resulted from a settlement conference held October 22, 1992.

The State of Indiana was represented by Andrew S. Peacock, Deputy Attorney General. Respondent appeared in person and was represented by Steven A. Dodge.

Board President Paulette T. Worcester, R.N., presided over said settlement conference and recommended adoption of the proposal as the final order of the Board. Ms. Worcester abstained from voting on this matter due to her participation in the settlement conference.

The Board, having considered the settlement proposal, and having taken official notice of its file in this matter, by a vote of 7-0-1 with Ms. Worcester abstaining, issues the fol-

lowing Findings of Fact and Order.

FINDINGS OF FACT

1. Respondent, who resides in Knox, Indiana held Indiana registered nurses license number 28035005 until November 20, 1986 when said license was suspended.

2. From September 3, 1962 to and including April 22, 1986, Respondent was employed by Starke Memorial Hospital.

3. On April 22, 1986, Respondent removed three (3) syringes containing morphine (a schedule II controlled substance) from the recovery room at Starke Memorial Hospital, placed the syringes in an envelope along with a butterfly needle, and placed the envelope in her car.

4. Respondent contacted a friend who removed the envelope from Respondent's car. Respondent diverted the medication for her friend's use.

5. Respondent was subsequently arrested and her employment at Starke Memorial Hospital was terminated.

6. Respondent pleaded guilty to conversion in the Starke Circuit Court.

7. On November 26, 1986, the Board suspended Respondent's Indiana nursing license and ordered that she not have the right to apply for reinstatement of her license for five (5) years.

8. On August 4, 1992, Respondent's Petition for Reinstatement of License was filed.

9. Respondent complied with all terms of probation which were imposed by the Starke Circuit Court as a result of

her criminal conviction.

10. Although Respondent never had a chemical dependency problem, she attended Al-Anon meetings for a period of six months to deal with her problem of being an enabler. Respondent was unable to continue attendance because the group disbanded.

11. Respondent is currently employed at Citrus Hill Manufacturing, Plymouth, Indiana in a non-healthcare related position.

12. Respondent has read nursing journals, studied Lippincott's Review of Nursing, and viewed videotapes in order to keep current in the practice of nursing.

13. Pursuant to IC 25-1-9-11, the Board may reinstate a suspended license if the Board is satisfied that the applicant is able to practice with reasonable skill and safety to the public. As a condition of reinstatement, the Board may impose disciplinary or corrective measures.

14. The Board has jurisdiction to hear this cause.

15. The Board finds that Respondent is able to practice nursing with reasonable skill and safety to the public. Probationary terms are warranted in regard to Respondent's license.

ORDER

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

1. Respondent's license to practice nursing is hereby

REINSTATED.

2. Respondent's license to practice nursing is hereby placed on INDEFINITE PROBATION. Respondent shall not have the right to petition the Board for withdrawal of said probation until three (3) years from the date of this Order.

3. During the time Respondent's license remains on probation, her practice of nursing shall be governed under the following terms and conditions:

a. Respondent shall not have access to or administer controlled substances. Respondent may petition the Board for modification or withdrawal of this provision no sooner than one (1) year from the date of this Order.

b. Respondent shall inform any nursing employer that her license to practice is on probation by providing any such employer with a copy of this Order.

c. Respondent shall cause reports to be submitted every three (3) months of the probationary period by her supervisor (for any nursing position) evaluating Respondent's professional performance and/or any problems associated with Respondent's professional performance.

d. Respondent shall keep the Board informed of her current employer and her current residential address and shall promptly notify the Board of any change in her name, place of employment or residential address.

e. Respondent shall complete her employing institu-

tion's orientation program for nurses and shall submit written verification of completion of said program to the Board.

f. Respondent shall attend co-dependency counseling at least once per month. Respondent shall cause her counselor to submit quarterly written reports to the Board concerning Respondent's progress. Said counseling sessions are to continue until Respondent's counselor notifies the Board in writing that the frequency of counseling can be decreased or counseling discontinued.

SO ORDERED this 9th day of November, 1992.

INDIANA STATE BOARD OF NURSING

By: Sarah B. McCarty
Sarah B. McCarty
Executive Director
Health Professions Bureau

cc: Sandra Miller, R.N.

Route 2, Box 116

Knox, IN 46534

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RETURN RECEIPT REQUESTED.

Steven A. Dodge

Attorney at Law

13 N. Pearl St.

P.O. Box 55

Knox, IN 46534

Andrew S. Peacock

Deputy Attorney General

219 State House

200 W. Washington St.

Indianapolis, IN 46204

ASP/dcm:3053S

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