

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2018 NB 0303

IN THE MATTER OF THE LICENSE OF:

AMANDA MIRACLE

LICENSE NO.: 28247012A

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FINAL ORDER

India Owens, R.N., designated by the Indiana State Board of Nursing ("Board"), pursuant to Ind. Code § 4-21.5-3-9 to act as an administrative law judge ("ALJ") held an administrative hearing on January 3, 2019 concerning Amanda Miracle's request to withdraw the probation from her license as a nurse.

A copy of the ALJ's "Recommended Findings of Fact, Conclusions of Law and Order" is attached hereto as **Exhibit A** and made a part hereof.

Pursuant to Ind. Code § 4-21.5-3-29(c) the Board, at its meeting of March 21, 2019, votes 7 to 0 to affirm said Recommended Findings of Fact, Conclusions of Law and Order and adopt it as a final order in this proceeding.

The probation on Miracle's license is **WITHDRAWN**.

ISSUED this 21st day of March, 2019.

INDIANA STATE BOARD OF NURSING

By: Herbert W. Puse
Kim Cooper, R.N.
Board President
Indiana State Board of Nursing

for

CERTIFICATE OF SERVICE

I certify that a copy of the "Final Order" has been duly served upon:

Amanda Miracle
1875 Champlain Drive
Niles MI 49120
Service by U.S. Mail

Stacy Oliver
Attorney General's Office
302 West Washington Street
IGCS – 5th Floor
Indianapolis, IN 46204
Service by Email

March 21, 2014

Date

Lisa Chapman

Lisa Chapman, Litigation Coordinator

Indiana State Board of Nursing
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2043
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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.

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2018 NB 0303

IN THE MATTER OF THE LICENSE OF:)

AMANDA MIRACLE)

LICENSE NO.: 28247012A)



**RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW AND
ORDER**

India Owens, R.N., designated by the Indiana State Board of Nursing ("Board"), pursuant to Ind. Code § 4-21.5-3-9 to act as an administrative law judge ("ALJ") held an administrative hearing on January 3, 2019, in Conference Room 4 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, concerning Amanda Miracle's request to withdraw the probation from her license as a nurse.

Miracle appeared in person and waived her right to be represented by counsel. Stacy Oliver of the Attorney General's Office represented the State of Indiana.

The ALJ, after considering the evidence presented and taking official notice of the file in this matter issues the following Recommended Findings of Fact, Conclusions of Law and Order:

RECOMMENDED FINDINGS OF FACT

1. Miracle, whose mailing address is 1875 Champlain Drive, Niles MI 49120, recently passed the nursing exam and acquired her license.
2. Miracle received timely and proper notice of the date, time, and location of this hearing pursuant to Ind. Code § 4-21.5-3-20.

Exhibit
A

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

4. After Miracle passed the qualifying exam, she acquired her license on probation because she had been arrested for operating a vehicle while intoxicated and placed on criminal probation.

5. At the hearing on withdrawal of probation on January 3, 2019, Miracle testified that she had complied with the terms and conditions of her probation, including successfully completing the terms of her criminal probation.

6. The deficiency that led to the probation on Miracle's license involved an isolated incident of operating a vehicle while intoxicated. Miracle's compliance with the terms of her probation constitutes evidence that the deficiency that required probation has been remedied.

RECOMMENDED CONCLUSIONS OF LAW

1. "The board shall remove any limitations placed on a probationary license under this section if the board finds after a hearing that the deficiency that required disciplinary action has been remedied." Ind. Code § 25-1-9-16(d).

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

RECOMMENDED ORDER

Based upon the foregoing Recommended Findings of Fact and Conclusions of Law, the Board **WITHDRAWS** the **PROBATION** on Miracle's license.

SO ORDERED, this 12th day of February, 2019.

ADMINISTRATIVE LAW JUDGE
INDIANA STATE BOARD OF NURSING

By: Herb W. Puce
India Owens, R.N.
Administrative Law Judge
Indiana State Board of Nursing

**NOTICE OF RIGHT TO OBJECT TO RECOMMENDED FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER**

Either party may object to the ALJ's Recommended Findings of Fact, Conclusions of Law and Order: but any objection must be filed with the Indiana State Board of Nursing, identifying the basis of the objection with reasonable particularity, no later than eighteen days from the ISSUANCE of this order unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency offices are closed during regular business hours in which case the deadline would be the first day which is not a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency offices are closed during regular business hours. The ALJ's Recommended Findings of Fact, Conclusions of Law and Order is not the final order of the Indiana State Board of Nursing in this proceeding. In the absence of any objection, the Indiana State Board of Nursing may affirm the ALJ's Recommended Findings of Fact, Conclusions of Law and Order as its final order or will serve notice of its intention to review any issue related to the ALJ's Recommended Findings of Fact, Conclusions of Law and Order.

CERTIFICATE OF SERVICE

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

Amanda Miracle
1875 Champlain Drive,
Niles MI 49120
Service by U.S. Mail

Stacy Oliver
Attorney General's Office
302 West Washington Street
IGCS – 5th Floor
Indianapolis, IN 46204
Service by Email

2.12.2014

Date

Lisa Chapman

Lisa Chapman, Litigation Coordinator

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