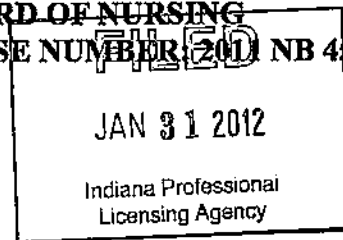


BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER 2011 NB 455

IN THE MATTER OF THE LICENSE OF:)
JENNIFER RENEE MOORE, R.N.)
LICENSE NO: 28156865A)



**FINAL ORDER ACCEPTING PROPOSED FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER**

The State of Indiana ("Petitioner"), by the Office of the Attorney General, by Laura E. Wilford Deputy Attorney General, and Jennifer Renee Moore, R.N. ("Respondent") signed a Proposed Settlement Agreement ("Agreement") which purports to resolve all issues involved in the action by the Petitioner and the Indiana State Board of Nursing ("Board") regarding the Respondent's license, and which Agreement has been submitted to the Board for approval.

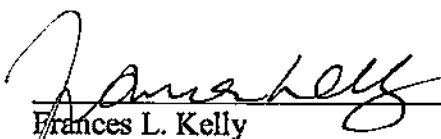
The Board, after reviewing the Agreement at the January 19, 2012 meeting held at the L.A. Pittenger Student Center, Cardinal Hall, Second Floor, 200 West University Avenue, Muncie, Indiana 47306, now finds it has been entered into fairly and without fraud, duress, or undue influence, and is fair and equitable between the parties. The Board hereby incorporates the Agreement which is attached hereto and incorporated herein as **Exhibit A** and approves and adopts in full the Agreement as a resolution of this matter. The Board approved this Agreement by a vote of 5-0-0. Incorporated into the Agreement was the consensus of both parties to Findings of Fact, Conclusions of Law and Order.

WHEREFORE, the Board hereby accepts and approves the Agreement, settling all matters in this case consistent with the terms of the Agreement between the parties, and Respondent is hereby ORDERED to abide by all the terms of the Agreement.

SO ORDERED, this 31 day of January, 2012.

INDIANA STATE BOARD OF NURSING

By:



Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

Distribution:

Jennifer Moore
8450 East 123rd Court
Crown Point, Indiana 46307

CERTIFIED MAIL NO: 91 7190 0005 2720 0015 8175
RETURN RECEIPT REQUEST:

Laura E. Wilford
Deputy Attorney General
Office of the Attorney General
8005 Castleway Drive
Indianapolis, Indiana, 46250

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2011 NB

IN THE MATTER OF THE LICENSE OF)
JENNIFER RENEE MOORE, R.N.)
LICENSE NO: 28156465A (EXPIRED))



PROPOSED SETTLEMENT AGREEMENT

The State of Indiana, by Laura E. Wilford, Deputy Attorney General ("Petitioner") and Jennifer Renee Moore, R.N. ("Respondent") hereby execute this Agreement to a disposition of the Complaint filed in this cause. This Agreement is subject to the review and approval of the Indiana State Board of Nursing ("Board") pursuant to Ind. Code ch. 25-1-9 and the Administrative Orders and Procedures Act, Ind. Code ch. 4-21.5-3.

STIPULATED FACTS

1. Respondent is a licensed Registered Nurse ("R.N.") in the State of Indiana having been issued license number 28156465A on March 11, 2003.
2. Respondent's address filed with the Indiana Professional Licensing Agency ("IPLA") is 8450 East 123rd Court, Crown Point, Indiana 46307.
3. On or around May 11, 2003, Respondent began employment as a nurse at St. Mary's Medical Center ("St. Mary's") located in Hobart, Indiana. She had been employed at St. Mary's since 2002 as a Nurse Apprentice Technician.
4. On or around May 9, 2010, St. Mary's Omni Cell report showed that Respondent removed two Norco 5 tablets for Patient A at 9:22am. Respondent failed to chart on this patient and she failed to document the administration or waste of the medication.
5. On or around May 10, 2010, St. Mary's Omni Cell report showed that Respondent removed one Norco 5 tablet for Patient A at 10:25am. Respondent again failed to document this in the chart or on the Medication Administration Record ("MAR"). Later at 1:51pm, Respondent

Exhibit
A

removed two Norco 5 tablets for Patient A and Respondent again failed to document this in the chart or MAR.

6. On or around May 13, 2010, St. Mary's Omni Cell report showed that at 5:31am, Respondent removed two Norco 5 tablets for Patient B and Respondent failed to document this on the patient's chart or MAR.

7. On or around May 16, 2010, St. Mary's Omni Cell report showed that at 1:30pm, that Respondent removed one Norco 5 tablet for Patient C and Respondent failed to document this on the patient's chart or MAR.

8. On or around June 30, 2010, St. Mary's investigation revealed that Respondent was a high Hydrocodone dispenser in the hospital. The unit manager found excessive access by Respondent on patients that were not assigned to her and the MAR had no entry that the narcotics were given to the patients. The three patients involved, all stated they did not ask for additional narcotic medication at those times. When questioned about her usage, Respondent initially stated that it was typical for the nursing staff to help each other out when it was busy by getting meds for each other. Conversely, when asked why the narcotics were not listed on the MAR, Respondent said she did not know. Finally, when told that if she did not cooperate the incident would become a police matter, Respondent admitted that she had a problem. St. Mary's notified Respondent that she would now be referred to the Indiana State Nurses Assistance Program ("ISNAP") and asked Respondent to empty her purse. 7 tables of Hydrocodone 5/325 and 2 tablets of Oxycodone 4.5mg. .38 mg. 325 mg. were found in Respondent's purse.

9. Respondent's employment with St. Mary's was suspended for fourteen (14) days for "diversion of drugs, possession of drugs prescribed by a physician for a patient, MAR not

recorded but Omni Cell indicates dispensing occurred." Respondent was escorted to a urine drug screen ("UDS")

10. On July 1, 2010, Respondent reported herself to ISNAP and initiated intake. She stated she was on the verge of diverting a controlled substance from her workplace. ISNAP notes reflect Respondent later admitted to a single incident of diversion.

11. On or around July 8, 2010, St. Mary's terminated Respondent's employment for drug diversion. Respondent's UDS from June 30, 2010 reported positive for opiates and propoxyphene.

12. On July 12, 2010, Ann Simmons, C.D.A., assessed Respondent at Porter-Starke Services, with sedative-hypnotic dependence and opioid abuse.

13. On September 28, 2010, Respondent entered into a three-year ISNAP Recovery Monitoring Agreement ("RMA"). Respondent's RMA directed Respondent to do the following:

- a. practice total abstinence from alcohol and controlled substances;
- b. not take any mood-altering drug within 48 hours of her work shift and must notify ISNAP if such substances are prescribed to her;
- c. follow and be bound by the terms and conditions of the "Participant Handbook;"
- d. notify ISNAP immediately if she required medical attention requiring mood altering substances; and,
- e. participate in random UDS's through Witham Laboratory in Lebanon, Indiana, or as otherwise directed by ISNAP.

14. Between September 2010 to August 2011, Respondent's ISNAP monitoring revealed the following RMA deficiencies:

- a. six (6) missed UDS's;

- b. two (2) significant non-compliant quarterly compliance reports; and
- c. a three (3) month extension of Respondent's RMA due to non-compliance.

15. On August 4, 2011, ISNAP terminated Respondent's case for significant non-compliance and referred her case closure to IPLA and Petitioner.

16. On or around November 1, 2011, Respondent's Indiana nursing license expired.

STIPULATED CONCLUSIONS OF LAW

The parties further stipulate:

- 1. Respondent's conduct violated Ind. Code §25-1-9-4(a)(4)(D).
- 2. Respondent's conduct violated Ind. Code §25-1-9-4(8)(A).
- 3. Respondent's conduct violated Ind. Code §25-1-9-4(a)(4)(B).

AGREED DISPOSITION

It is now therefore agreed by Respondent and the Petitioner as follows:

- 1. The Board has jurisdiction over Respondent and the subject matter in this disciplinary action.
- 2. The parties execute this Agreement voluntarily.
- 3. Both parties voluntarily waive their rights to a public hearing on the Complaint.
- 4. Petitioner agrees that the terms of this Agreement will resolve any and all pending claims or allegations relating to disciplinary action against Respondent's Indiana nursing license.
- 5. Respondent agrees that his Indiana nursing license shall be placed on **INDEFINITE SUSPENSION**.
- 6. Prior to petitioning for reinstatement, Respondent shall enter into and have one year of complete and continuous compliance with an ISNAP Recovery Monitoring Agreement. Respondent shall be an active participant in ISNAP at the time she petitions for reinstatement.

7. Prior to petitioning for reinstatement, Respondent shall submit to the Board proof of completion of **forty-eight (48) hours of continuing education** in the following areas:

- A. Twelve (12) in the area of medication administration;
- B. Twelve (12) in the area of documentation/charting; and
- C. Twenty-four (24) in the area of professionalism/ethics.

8. Prior to petitioning for reinstatement, Respondent shall pay a **FINE** in the amount of two hundred fifty dollars and no cents (\$250.00). This fine shall be paid by check or money order payable to the Indiana Professional Licensing Agency.

9. All documentation to be submitted to the Board, including fines and continuing education, shall be sent to the following address:

Indiana Professional Licensing Agency
Attn: Nursing, Group 2
402 West Washington Street, Room W072
Indianapolis, IN 46204

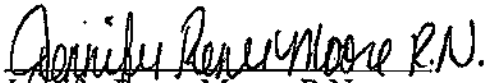
10. Prior to petitioning for reinstatement, Respondent shall, pursuant to Ind. Code § 4-6-14-10 (b), pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

Indiana Office of the Attorney General
Attn: Katherine Thorpe
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

11. Respondent has carefully read and examined this agreement and fully understands its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.

12. Respondent further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of nursing, or any violation of the Settlement Agreement may result in the State requesting an emergency suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, 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.

13. The parties agree to the continuing jurisdiction of the Board and that the discipline agreed to, terms of discipline, and licensure status will apply even if the Board renews Respondent's license at a later date.


Jennifer Renee Moore, R.N.
Respondent

12-29-11
Date


Laura E. Wilford
Deputy Attorney General

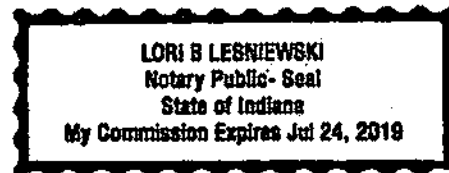
1/4/12
Date

STATE OF INDIANA)
) SS:
COUNTY OF Lake)

Before me a Notary Public for said County and State, personally appeared **Jennifer Renee Moore, R.N.**, and being first duly sworn by me upon his/her oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 29th day of December, 2011.

Lori Lesniewski
Signature



Lori Lesniewski
Printed Name

My Commission Expires: 7/24/2019

County of Residence: Lake

