

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2005 NB 0119

STATE OF INDIANA,

Petitioner,

v.

PATRICIA ANN MOONEY, R.N.,
License No.: 28135341A,

Respondent.

FILED

SEP 09 2005

Indiana Professional
Licensing Agency

FINDINGS OF FACT AND ORDER

The Indiana State Board of Nursing ("Board") held an administrative hearing on August 18, 2005, concerning a disciplinary complaint filed against Patricia Mooney, R.N. ("Respondent").

The State of Indiana was represented by Deputy Attorney General Sara Matticks. The Respondent did not appear and was found in default. The Board proceeded with a hearing to determine whether disciplinary action should be taken against Respondent's nursing license.

FINDINGS OF FACT

1. Respondent's address on file with the Board is 421 North Washington, Marion, Indiana, 46952, and she is a licensed registered nurse in the State of Indiana.
2. On July 1, 2005, Respondent was timely notified of the date, time, and place of the final hearing but did not appear at the hearing scheduled July 21, 2005.

3. On July 28, 2005, the Board issued a Notice of Proposed Default and provided a copy to Respondent at her last known address on file with the Board. Respondent did not respond to the notice.

4. Respondent was administered a pre-employment, post-offer, drug screen test on January 24, 2002 prior to starting work at Beverly's Sycamore Village in Kokomo ("Beverly").

5. The test confirmed positive for Propoxyphene and Beverly rescinded its offer of employment.

6. Letters inviting Respondent to contact Indiana State Nursing Assistance Program ("ISNAP") were returned due to Respondent leaving no forwarding address.

7. On or about March 18, 2001, Respondent was arrested and charged with Operating a Vehicle While Intoxicated and Driving Wrong Side of Road in Grant County Superior Court 3.

8. Respondent received a one year suspended jail sentence, one year probation, and a ninety day driving license suspension. On or about March 1, 2002, a bench warrant was issued due to unpaid fees to the court.

9. The license renewal application for Respondent dated October 31, 2001 indicated that Respondent answered "no" to all five questions.

CONCLUSIONS OF LAW

1. Respondent's conduct constitutes a violation of Indiana Code § 25-1-9-4(a)(3) and (4)(D) by knowingly violating a rule or statute and 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.

2. Respondent's conduct constitutes a violation of Indiana Code § 25-1-9-4(a)(1)(A) by engaging in or knowingly cooperating in fraud or material deception in order to obtain a license to practice by lying on her renewal application.

ORDER

Based upon the above Findings of Fact, by a vote of 5-0-0, the Board issues the following Order:

1. Respondent is held in default, pursuant to Indiana Code §4-21.5-3-24.
2. Respondent is fined **TWO HUNDRED AND FIFTY DOLLARS (\$250.00)**.
The fine shall be paid to the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana, 46204.
3. Respondent's license is **INDEFINITELY SUSPENDED**. Respondent may not petition the Board for reinstatement of her license for a period of **ONE (1) YEAR**.
4. As a condition precedent to reinstatement, Respondent must submit to an addictionology evaluation through the Indiana State Nurses Assistance Program, sign a recovery monitoring agreement, if recommended, and provide proof of three months compliance with ISNAP.

SO ORDERED, this 9th day of September 2005.

INDIANA STATE BOARD OF NURSING

By: Frances L. Kelly
Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

Copies to:

Patricia Ann Mooney
421 North Washington
Marion, IN 46952

CERTIFIED MAIL NUMBER: 7003 3110 0004 5110 6453
RETURN RECEIPT REQUESTED

Deputy Attorney General Sara Matticks
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Indiana Government Center South
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