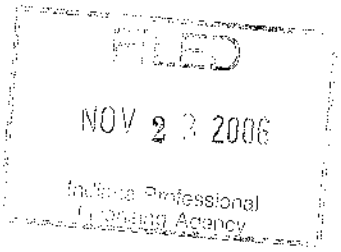
BEFORE THE INDIANA STATE BOARD
OF NURSING
CAUSE NUMBER: 2006NB 0118

STATE OF INDIANA,)
)
Petitioner,)
)
v.)
)
LEXI N. MURRAY L.P.N.)
LICENSE NUMBER: 27052484A,)
)
Respondent.)
)



COMPLAINT

The State of Indiana, by counsel, Deputy Attorney General, Shelley M. Johnson, on behalf of the Office of the Attorney General ("Petitioner"), and pursuant to Indiana Code § 25-1-7-7, Ind. Code §25-1-5-3, Ind. Code §25-23-1-7 et. seq., the Administrative Orders and Procedures Act, Ind. Code § 4-21.5-3 et seq. and Ind. Code § 25-1-9-1 et seq., files its Complaint against the Practical Nurse license of Lexi N. Murray, L.P.N. ("Respondent"), and in support alleges and states:

FACTS

1. The Respondent's address on file with Indiana Professional Licensing Agency is 10967 Williams Road, Williams, Indiana 47581 and she is a duly licensed Practical Nurse in the State of Indiana having been issued license number 27052484A.

2. From approximately July 30, 2003 through March 9, 2004, Respondent worked as a licensed practical nurse for Westview Nursing and Rehabilitation Center, 1510 Clinic Drive, Bedford, Indiana 47421.

3. On or about November 10, 2003, Respondent received a written warning for giving an incorrect dosage of Dilantin to a patient who suffered from seizures.

4. On or about November 10, 2003, Respondent failed to ensure that a resident did not get saturated in her own urine. The resident was incontinent. The Respondent received a verbal counseling.

5. On or about March 8, 2004, the Respondent was terminated from her job at Westview due to the fact that there were two cups of medications in the top drawer of the medication cart which were not administered to patients. In addition, another cup was found on March 7, 2003 with the patient's name that was not administered. The medication administration records indicated that the medications had not been given. A nitro patch was missing and was not recorded on the medication administration record as applied to the patient.

6. On or about March 31, 2004, Respondent was hired at The Lodge, located at 3710 Kenny Simpson Lane, Bedford, Indiana 47421.

7. On or about October 25, 2004, Respondent was written up for a medication error.

8. On or about November 11, 2004, Respondent was written up for a medication error.

9. On or about July 25, 2005, Respondent was terminated due to the fact that it was discovered that she had diverted Lortab, Roxicet and Xanax from the facility.

10. On or about August 31, 2005, the Indiana State Nurses ("ISNAP") Assistance Program sent the Respondent a letter because she had not responded to the letter sent by the Office of the Attorney General.

11. On or about December 12, 2005, Respondent initiated the intake process allegedly after controlled substances were found in her purse.

12. On or about December 20, 2005, the Clinical Team at ISNAP recommended a one (1) year Recovery Monitoring Agreement ("RMA"). An assessment was received from the Center for Behavioral Health. Respondent was diagnosed with opioid abuse.

13. On or about December 28, 2006, Respondent signed and returned her RMA to ISNAP.

14. On or about June 12, 2006, Respondent was in significant non-compliance with her reports, but was performing her urine drug screens.

15. On or about July 27, 2006, Respondent's quarterly review revealed significant non-compliance. She had not sent in her reports and had missed three (3) urine drug screens. She was to respond to ISNAP by August 10, 2006 and did not respond.

16. On or about August 16, 2006, the Clinical Team contacted the Respondent's therapist to see if she completed therapy.

17. On or about September 1, 2006, a letter of non-compliance was sent to the Respondent giving her until September 8, 2006 to respond or her ISNAP contract would be closed.

18. On or about September 14, 2006, Respondent's case was closed with the ISNAP program.

COUNT I

1. The conduct described above constitutes a violation of Indiana Code § 25-1-9 -4(a)(1)(B) in that the practitioner has knowingly engaged in fraud or material deception in the course of professional services or activities.

COUNT II

2. The conduct described above constitutes a violation of Indiana Code § 25-1-9

-4(a)(4)(A) in that the practitioner has continued to practice although the practitioner has become unfit to practice due to professional incompetence, to wit: 848 IAC 2-3-3(1) Using unsafe judgment, technical skills, or inappropriate interpersonal behaviors in providing nursing care.

COUNT III

3. The conduct described above constitutes a violation of Indiana Code § 25-1-9 -4(a)(4)(A) in that the practitioner has continued to practice although the practitioner has become unfit to practice due to professional incompetence, to wit: 848 IAC 2-3-3 (3) Disregarding a patient's right to dignity, right to privacy or right to confidentiality.

COUNT IV

4. The conduct described above constitutes a violation of Indiana Code § 25-1-9 -4(a)(4)(D) in that the practitioner has continued to practice although the practitioner has become unfit to practice due to 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.

COUNT V

5. The conduct described above constitutes a violation of Indiana Code § 25-1-9-4(a)(8)(A) in that the practitioner has diverted a legend drug.

WHEREFORE, Petitioner demands an order against the Respondent that:

1. Imposes the appropriate disciplinary sanction;

2. Directs Respondent to immediately pay all costs incurred in the prosecution of this case; and;

3. Provides any further relief as the Board deems just and proper.

Respectfully submitted,

Steve Carter,
Attorney General of Indiana

By: _____
Shelley M. Johnson
Deputy Attorney General
Attorney No.: 22412-49

SMJ/srn

CERTIFICATE OF SERVICE

I certify that a copy of the "Complaint" has been duly served upon the Respondent listed below, by United States mail, first-class, postage prepaid, on this 21st day of November, 2006.

Lexi N. Murray, L.P.N.
10967 Williams Road
Williams, IN 47581

_____
Shelley M. Johnson
Deputy Attorney General
Attorney No. 22412-49

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