

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2021 NB 0035

IN THE MATTER OF THE LICENSE OF:)
)
LESLEE NAPIER, R.N.,)
)
LICENSE NO: 28224138A)

FILED

APR 12 2021

Indiana Professional
Licensing Agency

SUMMARY SUSPENSION ORDER

The Indiana State Board of Nursing ("Board"), pursuant to the authority of Ind. Code § 4-21.5-4-1 and Ind. Code § 25-1-9-10, by a vote of 8-0-0, at its regularly scheduled meeting on March 18, 2021, held via Webex teleconference, **SUMMARILY SUSPENDS** the nursing license held by Leslee Napier, R.N. ("Respondent"), for ninety (90) days, as the Board finds that an emergency exists and that Respondent represents a clear and immediate danger to the public health and safety if allowed to continue to practice as a nurse in the State of Indiana.

The State of Indiana was represented by Whitney N. Cooper, Deputy Attorney General. Respondent was present for a large portion of the virtual meeting but left prior to the start of the hearing in this matter.

This **NON-FINAL** emergency order is based on evidence supporting the following findings:

1. Respondent is a Registered Nurse ("RN") in the State of Indiana, having been granted RN License Number 28224138A on or about July 6, 2015, by the Board.
2. Respondent's address on file with the Board is 811 Phillips Street, Grayville, Illinois 62844.
3. The Board has jurisdiction to summarily suspend Respondent's license in accordance with Indiana Code ch. 4-21.5-4 and Indiana Code § 25-1-9-10.

4. In 2018, Respondent was employed as a RN at Gibson General Hospital in Princeton, Indiana.
5. On August 13, 2018, Respondent was identified through a pharmacy audit as having likely diverted hydrocodone for patient R.M. while employed at Gibson General Hospital.
6. The Hospital investigated and ultimately determined Respondent was responsible for eighty-four (84) missing tablets of hydrocodone.
7. On August 16, 2018, when Respondent was advised she needed to come to Gibson General Hospital to submit to a drug screen, Respondent refused and immediately quit.
8. In September 2018, Respondent began employment at North River Health Campus, a long-term care facility located in Evansville, Indiana.
9. On July 8, 2019, Respondent's employment at North River Health Campus was terminated. Respondent was advised on that date that she was centrally involved in a diversion investigation which required her cooperation. Rather than cooperate, Respondent resigned via text message two hours before her shift.
10. The Medicaid Fraud Control Unit ("MFCU") of the Indiana Attorney General's Office was actively investigating Respondent's nursing practices after her departure from Gibson General Hospital. MFCU Investigator Julie Nicholson ultimately determined that just between March 4 and April 14, 2019, Respondent was responsible for forty (40) instances of removing a controlled substance but failing to document its administration or waste at North River. Specifically, Respondent failed

to document administering or wasting three (3) narcotic medications: oxycodone, tramadol, and hydrocodone.

11. On or about January 12, 2021, Respondent was charged with the following in Vanderburgh Circuit Court under cause number 82C01-2101-F6-000218, stemming from her conduct at North River Health Campus:

- a. Six (6) counts of Obtaining a Controlled Substance by Fraud or Deceit, Level 6 Felony;
- b. Failure to Make, Keep or Furnish Records, Level 6 Felony;
- c. Furnishing False or Fraudulent Information, Level 6 Felony.

12. In January 2021, Respondent was employed at Greenhill Manor Nursing and Rehabilitation, a long-term care and rehabilitation facility located in Fowler, Indiana.

13. On January 18, 2021, Respondent was identified by Greenhill Manor administrators as the primary suspect in a diversion investigation involving the following medications that were determined to be missing after a narcotic audit completed by the Assistant Director of Nursing:

- a. Seventeen (17) Norco tablets belonging to T.G.;
- b. Ten (10) oxycodone tablets belonging to K.G.;
- c. Nine (9) oxycodone tablets belonging to D.G.

14. The facility contacted the Fowler Police Department to report their concerns, and when they spoke with an officer, it was determined Respondent had an active arrest warrant under cause number 82C01-2101-F6-000218 from Vanderburgh County.

15. When Respondent arrived at the facility for her scheduled shift on January 19, 2021, the Fowler Police Department was contacted. Officers arrived to the facility, the arrest warrant was served, and Respondent was taken into custody.
16. When Respondent's property, which was secured from the facility at the time of her arrest, was searched at the Benton County Jail, two (2) pill bottles were found which contained various pills. One bottle had the label removed and contained seven (7) gabapentin 300mg tablets. The second bottle, a ValuMeds Ibuprofen bottle, contained the following:
- a. Twelve and one half (12.5) lorazepam 0.5mg tables;
 - b. Two (2) clonazepam 0.5mg tablets;
 - c. Three (3) diazepam 5mg tablets;
 - d. Four (4) gabapentin 100mg capsules;
 - e. Two (2) cyclobenzaprine hydrochloride 10mg tablets;
 - f. One (1) acetaminophen 325mg tablet;
 - g. Six (6) tramadol hydrochloride 50mg tablets.
17. On or about January 20, 2021, Respondent was charged with the following in Benton circuit Court under cause number 04C01-2101-F6-000014, stemming from her conduct at Greenhill Manor:
- a. Unlawful Possession or Use of a Legend Drug, Level 6 Felony;
 - b. Possession of a Controlled Substance, Class A Misdemeanor.
18. On or about February 22, 2021, Respondent was charged with the following in Gibson Superior Court under cause number 26D01-2102-F6-000118, stemming from her conduct at Gibson General Hospital:

- a. Five (5) counts of Obtaining a Controlled Substance by Fraud or Deceit, Level 6 Felony;
 - b. Two (2) counts of Failure to Make, Keep or Furnish Records, Level 6 Felony.
19. All three (3) criminal cases filed against Respondent remain pending.
20. Despite facing numerous criminal charges related to controlled substances, Respondent has not contacted the Indiana State Nurses Assistance Program.
21. Based on the foregoing, Respondent presents a clear and immediate danger to the public's health and safety if allowed to continue to practice nursing in Indiana.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease and desist all acts constituting the practice of Nursing for a period of ninety (90) days from the effective date of this Order.

IT IS FURTHER ORDERED that this Order shall serve as notice to all parties that this matter is reset on **JUNE 18, 2021 at 8:00AM**, for a hearing to occur via the Webex platform (<https://IndianaEnhanced.Webex.com/join/PLAWebex>), at which the Board will consider whether the summary suspension of Respondent's license should be extended.

SO ORDERED, this 12th day of April 2021; this **Order is effective as of the 18th day of March 2021.**

INDIANA STATE BOARD OF NURSING

By: Alyssa Serwig for
Kim Cooper, R.N.
Board President
Indiana State Board of Nursing

CERTIFICATE OF SERVICE

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

Leslee Napier
811 Phillips Street
Grayville, Illinois 62844
Service by US Mail

Whitney N. Cooper
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302 West Washington Street
Indianapolis, Indiana 46204-2770
Whitney.cooper@atg.in.gov
Service by Email

4.12.2021

Date

Lisa Chapman

Lisa Chapman, Litigation Coordinator

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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.