

**BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2013 NB 290**

IN THE MATTER OF THE LICENSE OF:
MELISSA PAGE, L.P.N.,
LICENSE NO: 27066630A. (Summary Suspension)

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COMPLAINT

The State of Indiana (Petitioner), by counsel, Deputy Attorney General David A. Fleischhacker, on behalf of the Office of the Attorney General, and pursuant to Ind. Code § 25-1-7-7, Ind. Code ch. 25-1-5, Ind. Code § 25-23-1-7, the Administrative Orders and Procedures Act, Ind. Code ch. 4-21.5-3, and Ind. Code ch. 25-1-9, files its Complaint against the Indiana nursing licenses of Melissa Page, L.P.N. (Respondent), and in support alleges and states the following:

FACTS

1. Respondent is a Licensed Practical Nurse (L.P.N.) in the State of Indiana having been issued license number 27066630A in March 2011.
2. Respondent's address on file with the Indiana Professional Licensing Agency is 14663 Sir Barton Drive, Apt. F, Noblesville, Indiana 46060.
3. On or about May 9, 2013, Respondent began employment with United Home Health Care (United) located in Indianapolis, Indiana.
4. On or about June 4, 2013, Respondent was providing care for Patient A, a five (5) year old, handicapped, special needs female, at the home of Patient A. The mother of Patient A had installed a hidden camera to monitor Respondent's care of Patient A. The video recording showed Respondent lifting Patient A by only grabbing one (1) arm and one (1) leg on multiple

occasions and leaving Patient A briefly unattended during which time an apparatus connected to Patient A almost fell over.

5. On or about June 11, 2013, the mother of Patient A filed a complaint with United regarding Respondent's care of Patient A.

6. On or about June 12, 2013, United staff visited the home of Patient A, met with Patient A's mother, and reviewed the video recording.

7. On or about June 12, 2013, Respondent's employment with United was terminated.

8. On or about July 16, 2013, Petitioner filed a Petition for Summary Suspension requesting her Indiana nursing license be suspended for ninety (90) days.

9. On or about July 18, 2013, the Indiana State Board of Nursing (Board) held a hearing regarding the Petition for Summary Suspension. After the Board viewed video evidence and heard testimony from multiple witnesses, the Board placed Respondent's Indiana nursing license on summary suspension for ninety (90) days.

COUNT I

10. Paragraphs 1 through 9 are hereby incorporated by reference herein.

11. Respondent's conduct violated Ind. Code § 25-1-9-4(a)(4)(B) in that Respondent has continued to practice although she has become unfit to practice due to failure to keep abreast of current professional theory or practice as evidenced by Respondent failing to use proper lifting techniques when moving Patient A on multiple occasions.

COUNT II

12. Paragraphs 1 through 9 are hereby incorporated by reference herein.

13. Respondent's conduct violated Ind. Code § 25-1-9-4(a)(4)(B) in that Respondent has continued to practice although she has become unfit to practice due to failure to keep abreast of current professional theory or practice as evidenced by Respondent leaving Patient A briefly unattended during which time an apparatus connected to Patient A almost fell over.

WHEREFORE, Petitioner demands an order against 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,

Gregory F. Zoeller
Attorney General of Indiana
Attorney No. 1958-98

By:



David A. Fleischhacker
Deputy Attorney General
Attorney No. 28563-49

CERTIFICATE OF SERVICE

I certify that a copy of the "Complaint" has been duly served upon Respondent and Respondent's attorney of record by United States mail, first-class, postage prepaid, on this 17th day of SEPTEMBER, 2013.

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Morgan L. Wills
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By: 

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