

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2002 NB 041

STATE OF INDIANA,

Petitioner,

v.

VALERIE KAREN PASKO, R.N.,
License Number: 28120745A,

Respondent.

FILED
JUN 27 2002
HEALTH PROFESSIONS
BUREAU

FINDINGS OF FACT AND ORDER

The Indiana State Board of Nursing ("Board"), held a preliminary and administrative hearing on June 20, 2002, in Room A of the Conference Center, Indiana Government Center South 302 West Washington Street, Indianapolis, Indiana, concerning a Petition for Summary Suspension and a disciplinary complaint filed against Valerie Karen Pasko, R.N. ("Respondent").

The State of Indiana was represented by Deputy Attorney General Shelette Alexander-Veal. The Respondent appeared in person and waived her right to be represented by counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 7-0-0, issues the following Findings of Fact and Order:

FINDINGS OF FACT

1. Respondent is a licensed Registered Nurse in the State of Indiana holding license number 28120745A.
2. The Respondent's address on file with the Health Professions Bureau is 3016 99th Place West, Highland, IN 46322.

3. The Board is empowered to hold this disciplinary hearing pursuant to the authority of Indiana Code § 25-1-9-4 and Indiana Code § 4-21.5-3 et. seq.

4. The State of Indiana filed its Petition for Summary Suspension on April 10, 2002. The Board voted to place Respondent's nursing license on Summary Suspension on April 18, 2002.

5. On or about February 11, 2002, the Respondent was employed as a registered nurse for Lawrence Bernstein, M.D., in Hammond, Indiana.

6. On or about February 11, 2002, Dr. Bernstein received a phone call from a pharmacist, informing him that the Respondent presented a prescription for Vicoden ES, ninety (90) quantity, that was purportedly authorized by Dr. Bernstein.

7. The pharmacy did not honor this prescription.

8. Dr. Bernstein subsequently learned that the Respondent obtained two (2) prescriptions for Darvocet, ninety (90) quantity, on December 24, 2001, and January 18, 2002 by calling Walgreens at 9626 Cline Avenue, Highland, IN 46322, purporting to authorize prescriptions on Dr. Bernstein's behalf.

9. On both occasions, the Respondent informed the pharmacist that her name was "Tina", another nurse that works in Dr. Bernstein's office.

10. Dr. Bernstein terminated the Respondent from working in his office.

11. The Respondent testified at the hearing and admitted to all of the allegations in the complaint.

12. The Respondent testified that she gave some of the Darvocet to a friend who had been in a car accident.

13. The Respondent testified that her addictionologist examined her and determined that she did not suffer from an addiction.

14. The Respondent submitted a letter from ISNAP that indicated she did not meet the criteria for ISNAP since she was not diagnosed with an addiction to controlled substances.

15. The Respondent testified that her experience has been very embarrassing and she would never engage in this conduct again.

ULTIMATE FINDINGS OF FACT

1. Respondent's conduct described above constitutes violations of Indiana Code §25-1-9-4(a)(1)(B) in that the Respondent has engaged in fraud or material deception in the course of professional services or activities; and Indiana Code §25-1-9-4(a)(4)(D) in that the Respondent has continued to practice although she has become unfit due to addiction to, abuse of, or severe dependency upon alcohol or other drugs that endanger the public by impairing the Respondent's ability to practice safely.

2. The above violations warrant the imposition of disciplinary sanctions on the Respondent's Indiana nursing license.

ORDER

Based upon the above Findings of Fact, the Board issues the following Order:

1. Respondent's Indiana Registered Nurse license is placed upon **INDEFINITE PROBATION**. The Respondent may petition to have the probationary order withdrawn after a period of one (1) year of active nursing practice.

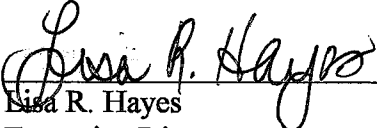
2. The Respondent's practice of nursing shall be governed by the following **TERMS AND CONDITIONS**:

- a) Respondent shall keep the Board informed of her residential address and telephone number at all times.
 - b) Respondent shall keep the Board informed of her nursing employer's name, address and telephone number.
 - c) Respondent shall provide a copy of all Board orders imposing discipline or limiting practice to any nursing employer who shall sign and return a copy of such orders to the Board within seven (7) days of employment or receipt of this order.
 - d) Respondent shall be responsible for causing her nursing employer to submit quarterly supervisor reports addressing competency and overall performance.
 - e) Respondent shall comply with all statutes and rules regulating the practice of nursing.
3. The failure of the Respondent to comply with the terms of this order may subject the Respondent to a show cause hearing and the imposition of further sanctions.

SO ORDERED, this 27th day of June, 2002.

INDIANA STATE BOARD OF NURSING

By:


Lisa R. Hayes
Executive Director
Health Professions Bureau

Copies to:

Valerie Karen Pasko, R.N.
3016 99th Place West
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RETURN RECEIPT REQUESTED

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