

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NO: 2009 NB 246

IN THE MATTER OF THE LICENSE OF:)
AMANDA PEREZ, L.P.N.)
LICENSE NO: 27059381A)

FILED

JUN 02 2014

Indiana Professional
Licensing Agency

**FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER**

The Indiana State Board of Nursing ("Board") held an administrative hearing on May 15, 2014, in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana 46204, regarding the Order to Show Cause filed against the Licensed Practical Nurse ("L.P.N.") license of Amanda Perez ("Respondent").

On or about November 22, 2013, the Indiana Professional Licensing Agency ("IPLA") sent notice to Respondent's last reported address informing Respondent of the date, time, and place of an order to show cause hearing on February 20, 2014. Respondent did not appear in person or by counsel. The State of Indiana ("Petitioner") was represented by Jason Gross, Deputy Attorney General. The Board then issued a notice of proposed default on March 10, 2014, which ordered Respondent to file a motion opposing a default order within seven (7) days of the notice. Respondent did not respond to the order within the time specified by Indiana law.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 9-0-0, finds Respondent to be in **DEFAULT**. The Board, by another vote of 9-0-0, issues the following Findings of Fact, Ultimate Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On August 9, 2010, the Board issued an order against Respondent's license, which included provisions that Respondent keep the Board apprised of her address and phone number, her employer's address and phone number and submit quarterly reports to the Board from her employer.

2. At the May 15, 2014 hearing, Kimberly Oakley from IPLA testified that Respondent did not, in fact, provide the Board with updated personal contact information and employer contact information and did not provide the Board with quarterly reports from her employer.

ULTIMATE FINDINGS OF FACT

Respondent's conduct constitutes a violation of Ind. Code § 25-1-9-4(a)(10) in that Respondent has failed to comply with an order imposing sanctions under section 9 of this chapter.

CONCLUSION OF LAW

Respondent's violation is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, revocation and/or a fine up to the amount of one thousand dollars (\$1,000) per violation as detailed in Ind. Code § 25-1-9-9.

ORDER

1. Respondent's license shall be placed on **INDEFINITE SUSPENSION** with no right to petition for reinstatement for six (6) months.

2. Respondent shall, pursuant to Ind. Code 4-6-14-10(b), pay a fee of **Five Dollars (\$5.00)** to be deposited into the Health Records and Personal Identifying Information Protection

Trust Fund. This fee shall be paid by check or money order to the State of Indiana and submitted to the following address:

Indiana Office of the Attorney General
Attn: Katherine Lee
302 W. Washington Street, 5th Floor
Indianapolis, IN 46204

3. Respondent's violation of this Final Order or any non-compliance with the statutes or regulations regarding the practice of nursing may result in Petitioner requesting a summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

SO ORDERED, this 2nd day of June, 2014.

INDIANA STATE BOARD OF NURSING

By: Herbert W. Rhoad
Nicholas W. Rhoad
Executive Director
for Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

I certify that a copy of the "Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Amanda Perez
7950 W. 990 N.
Demotte, Indiana 46310
Service by U.S. Mail

Jason Gross
Deputy Attorney General
Office of the Indiana Attorney General
302 West Washington Street
IGCS – 5th Floor
Indianapolis, Indiana 46204
Service by Email

6-2-14
Date

Lisa Chapman
Lisa Chapman

Indiana State Board of Nursing
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2043
Fax: 317-233-4236
Email: pla2@pla.in.gov

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.