



vote of 9-0-0, issues the following Findings of Fact, Ultimate Findings of Fact, Conclusions of Law, and Order:

**FINDINGS OF FACT**

1. Respondent is a licensed Registered Nurse ("R.N.") in the State of Indiana, having been granted R.N. License Number 28145990A on November 18, 1999, by the Board.

2. Respondent's address filed with the Board is 223 South 25<sup>th</sup> Street, Terre Haute, Indiana 47803-1811.

3. On August 8, 2012, Respondent was charged in Vermillion County, Indiana, in Cause No. 83C01-1208-CM-000216 with domestic battery, a Class A misdemeanor; battery resulting in bodily injury, a Class A misdemeanor; and criminal mischief, a Class B misdemeanor. The charges alleged that on July 29, 2012, Respondent repeatedly hit her husband, who was a cancer patient, in the back of the head until he passed out, after he had confronted her about her excessive alcohol use. The charges further alleged that the husband was taken and admitted to the hospital due to his injuries, and that Respondent also scratched and struck the couple's son when he tried to intervene. Finally, the charges alleged that Respondent carved the words "Die" and "F\*\*\*er" on the wooden stock of a shotgun Respondent's husband's father had given him. The court issued a No Contact Order between Respondent and her husband at that time. On December 19, 2012, the charges emanating from the July 29, 2012 events were upgraded to a battery causing serious bodily injury, a Class C felony. A new cause number, 83C01-1212-FC-000018, was assigned to Respondent's case, and on December 26, 2012, Respondent was again ordered to have no contact with her husband. Cause Number 83C01-1208-CM-000216, the original cause was later dismissed.

4. On or about December 30, 2012, Respondent's husband passed away.

5. On February 14, 2013, Petitioner filed a Petition for the Summary Suspension of Respondent's nursing license, based upon the allegations listed in Count 1.

6. On February 21, 2013, after a hearing on the matter, this Board found that an emergency existed and that Respondent represented a clear and immediate danger to the public health and safety if allowed to continue to practice as a Registered Nurse in the State of Indiana and by a vote of 7-0-0, and ordered the Emergency Suspension of Respondent's Indiana nursing license for ninety (90) days.

7. On May 13, 2013, Respondent initiated intake with the Indiana State Nurses Assistance Program ("ISNAP").

8. On May 16, 2013, this Board found that Respondent continued to represent a clear and immediate danger to the public health and safety and voted to summarily suspend Respondent's nursing license for another ninety (90) days.

9. On June 13, 2013, Respondent was assessed and diagnosed with alcohol dependence. On July 5, 2013, she entered into a three (3) year Recovery Monitoring Agreement ("RMA") with ISNAP.

10. On August 15, 2013, this Board found that Respondent continued to represent a clear and immediate danger to the public health and safety and voted to summarily suspend Respondent's nursing license for another ninety (90) days.

11. At some point between July 5, 2013 and September 16, 2013, the Respondent relapsed. On or about September 16, 2013, Respondent was admitted to Hamilton Center for detox treatment. She was discharged on September 19, 2013.

12. On October 14, 2013, ISNAP extended Respondent's RMA for four (4) months due to her relapse on alcohol.

13. On or about November 14, 2013, this Board found that Respondent continued to represent a clear and immediate danger to the public health and safety and voted to summarily suspend Respondent's nursing license for another ninety (90) days.

14. On November 18, 2013, Respondent pled guilty to and was convicted of battery resulting in bodily injury, a Class A misdemeanor; battery resulting in bodily injury, a Class A misdemeanor; and criminal mischief, a Class A misdemeanor; in Cause No. 83C01-1212-FC-000018. Respondent was sentenced to formal probation for a period of three (3) years and was issued a No Contact Order with regard to Respondent's deceased husband's son and daughter-in-law for the length of the probation. Respondent was ordered to comply with and successfully complete ISNAP while on criminal probation.

15. On or about November 21, 2013, Respondent entered a group meeting with a blood alcohol level of .205.

16. On or about December 6, 2013, ISNAP closed Respondent's case due to her relapse and non-compliance.

#### **ULTIMATE FINDINGS OF FACT**

1. Respondent is in violation of one (1) count of Ind. Code § 25-1-9-4(a)(2)(B).
2. Respondent is in violation of two (2) counts of Ind. Code § 25-1-9-4(a)(4)(D).

#### **CONCLUSIONS 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, or revocation and a fine up to the amount of one thousand dollars (\$1,000) per violation as detailed in Ind. Code § 25-1-9-9.

## ORDER

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

1. Respondent's Indiana nursing license is hereby placed on **INDEFINITE SUSPENSION for NINETY-NINE (99) YEARS.**
2. Respondent shall, within ninety (90) days of the Final Order, 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 payable to the State of Indiana, and submitted to the following address:

Office of the Indiana Attorney General  
Attn: Kathryn Shively  
302 West Washington Street, 5<sup>th</sup> Floor  
Indianapolis, IN 46204

3. Respondent shall, within ninety (90) days of the Final Order, pay **COSTS** in the amount of **ONE HUNDRED SEVENTY-SIX DOLLARS AND NINETY CENTS (\$176.90)** payable to the Indiana Professional Licensing Agency. The costs, payable by check or money order, should be sent to:

Indiana Professional Licensing Agency  
Attn: Nursing, Group 2  
402 West Washington Street, Room W072  
Indianapolis, Indiana 46204

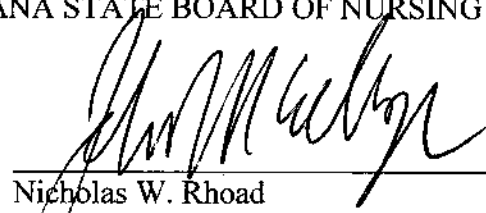
4. Respondent's violation of this Final Order or any non-compliance with the statutes or regulations regarding the practice of nursing may result in Petitioner requesting a summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant 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 30<sup>th</sup> day of May, 2014.

INDIANA STATE BOARD OF NURSING

By: \_\_\_\_\_

  
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:

Cynthia Ann Pugh  
223 S. 25<sup>th</sup> Street  
Terre Haute, Indiana 47803-1811  
**Service by U.S. Mail**

Joshua W. Timmons  
Deputy Attorney General  
Office of the Attorney General  
Indiana Government Center South  
302 West Washington Street, Fifth Floor  
Indianapolis, Indiana 46204-2770  
josh.timmons@atg.in.gov  
**Service by Email**

5.30.14  
Date

Lisa Chapman  
Lisa Chapman

Indiana State Board of Nursing  
Indiana Government Center South  
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Indianapolis, IN 46204  
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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.