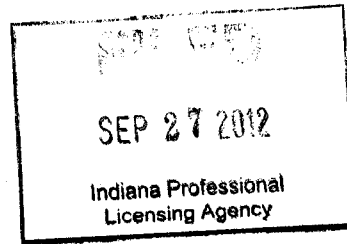


BEFORE THE INDIANA STATE BOARD
OF NURSING
CAUSE NO.: 2012 NB 411

IN THE MATTER OF THE LICENSE OF)
CITIRIA ANN PORTER, L.P.N.)
LICENSE NO: 27056596 (Active))



COMPLAINT

This complaint is brought against the Licensed Practical Nurse ("L.P.N.") license of Citiria Ann Porter, L.P.N. ("Respondent"), by the Office of the Indiana Attorney General, by counsel, Deputy Attorney General, Jason J. Gross, on behalf of the State of Indiana ("Petitioner") and pursuant to Ind. Code § 25-1-7-7, Ind. Code § 25-1-5-3, Ind. Code § 25-22.5-2-7 *et seq.*, the Administrative Orders and Procedures Act, and Ind. Code ch.25-1-9-1 and in support alleges and states:

FACTS

1. Respondent's address on file with the Indiana State Board of Nursing ("Board") is 6750 East 4th Avenue, Gary, Indiana 46403.
2. Respondent is a L.P.N. licensed in the State of Indiana holding Indiana license number 27056596 (Active). Respondent's license was issued on November 16, 2005. It will expire on October 31, 2012.
3. On or about February 16, 2011, Respondent began work as a L.P.N. for Vibra Hospital of Northwestern Indiana ("Vibra") in Crown City, Indiana.
4. On or about December 1, 2011, Patient A was admitted to Vibra, and was put in room 109. He was given an initial diagnosis of cellulitis and pneumonia.
5. On December 9, 2011, Respondent was assigned to Patient A.

6. At approximately 11:00 a.m. on December 9, 2011, Patient A had a change in condition in which he reported shortness of breath and pain in the left lower quadrant of his abdominal area.

7. As a result of Patient A's change in condition, Respondent was advised by Patient A's treating physician, Dr. Surendra Shah ("Dr. Shah") to send the patient out immediately and to get a kidney, ureter, and bladder x-ray ("KUB").

8. Respondent proceeded to write the telephone order "to send the patient to Methodist Hospital stat for a KUB for abdominal pain."

9. Respondent failed to verify the telephone order per hospital policy, as well as Joint Commission Standards and National Patient Safety requirements.

10. Then-chief clinical officer Denise Ambroz ("Ambroz") gave direction to the unit clerk to have the KUB done in-house, in effect canceling Dr. Shah's order to transfer but making sure the KUB could be completed as soon as possible as well as reporting the result in a quick timeframe.

11. Ambroz did not clarify this changed order with Dr. Shah, did not assess the care or condition of Patient A, did not follow up once the KUB was completed, and did not communicate with the Charge Nurse for this patient, the patient's physician, or the patient's family.

12. Respondent gave Patient A and his wife the results from the KUB, which was completed within Vibra without the aid of the knowledge or interpretation of a physician. Respondent states in her response to the Office of the Indiana Attorney General, "In my effort to comfort her, I stated there is no obstruction and that Dr. Shah would need to give her further information about the results."

13. Patient A continued to have a decline from 11:00 a.m. to 6:00 p.m. per charting and observation of both Patient A's wife and Respondent. Respondent did not follow up with the Charge Nurse or the Chief Clinical Officer.

14. Only after an assessment at 6:35 p.m. was Patient A finally transferred to Methodist Hospital.

15. Patient A died after being transferred to Methodist Hospital.

COUNT I

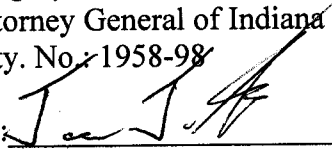
16. Paragraphs 1 through 15 are repeated and incorporated herein.

17. Respondent's conduct as described above violates Ind. Code § 25-1-9-4(a)(4)(A) in that Respondent continued to practice although she had become unfit to practice due to professional incompetence, as evidenced by her aforementioned failures to follow procedures and policies.

WHEREFORE, Petitioner demands an order against the Respondent that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to immediately pay all costs incurred in the prosecution of this case;
3. Directs Respondent to pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund pursuant to Ind. Code § 4-6-14-10(b); and,
4. Provides any further relief as the Board deems just and proper.

Respectfully submitted,
Gregory F. Zoeller,
Attorney General of Indiana
Atty. No. 1958-98

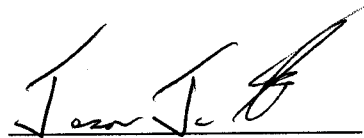
By: 
Jason J. Gross
Attorney Number 23587-49
Deputy Attorney General

Indiana Office of the Attorney General
Licensing Enforcement and Homeowner
Protection Unit
302 W. Washington Street, 5th Floor
Indianapolis, Indiana 46204-2770
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Fax Number (317) 233-4393
Email: Jason.Gross@atg.in.gov

CERTIFICATE OF SERVICE

I certify that a copy of the "Complaint" has been duly served upon the Respondent listed below, by United States mail, first-class, postage prepaid, on this 28th day of September, 2012.

Citiria Ann Porter, L.P.N.
6750 East 4th Avenue
Gary, Indiana 46403

A handwritten signature in black ink, appearing to read "Jason Gross", written over a horizontal line.

Jason Gross
Deputy Attorney General
Attorney No.: 23587-49