

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2006 NB 0031

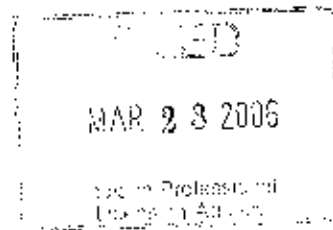
STATE OF INDIANA,

Petitioner,

v.

DEBRA JENEANE RAY, LPN
LICENSE NUMBER: 27044355,

Respondent.



COMPLAINT

The State of Indiana, by counsel, Deputy Attorney General, Shelley M. Johnson, on behalf of the Office of the Attorney General ("Petitioner"), and pursuant to Indiana Code § 25-1-7-7, Ind. Code §25-1-5-3, Ind. Code §25-23-1-7 et seq., the Administrative Orders and Procedures Act, Ind. Code § 4-21.5-3 et seq. and Ind. Code § 25-1-9-1 et seq., files its Complaint against the Licensed Practical Nurse license of Debra Jeneane Ray, LPN ("Respondent"), and in support alleges and states:

FACTS

1. The Respondent address on file with the Board is 1923 Vermont Ave, Connersville, IN 47331 and is a duly licensed Licensed Practical Nurse in the State of Indiana having been issued license number 27044355.
2. On or about November 28, 2001, Respondent was hired as a licensed practical nurse at Hillcrest Estates, 215 W. High St. Liberty, Indiana 47353.

3. On or about February 3, 2002, Ms. Denise Osborne, D.O.N. counted the Respondent's medication cart prior to her shift.
4. Respondent failed to pass medications and health shakes as ordered. Respondent documented on the Medication Administration Record ("MAR") that she administered the medications and treatment.
5. Ms. Osborne also discovered that a 60cc syringe, which was needed for administration of a G-Tube feeding was still sealed in an unopened and dated package for a resident.
6. Respondent signed off that the nitro patches were removed. However pursuant to investigation, the nitro patches were still dated and in place for three (3) residents.
7. On or about February 5, 2002, Respondent was terminated from Hillcrest Estates for inattention to duty.
8. On or about October 4, 2000, Respondent was employed at The Lincoln Centers, 1029 East 5th Street, Connersville, Indiana 47331.
9. On or about October 5, 2000, Respondent received a Corrective Action Plan for failing to transcribe physician's orders correctly, not giving medications as ordered, and not giving medications at the proper times as ordered by the physician. Corrective actions were noted that the Respondent was put on a thirty (30) day probationary period.
10. On or about October 12, 2000, Respondent was terminated from The Lincoln Centers for making threatening remarks to employees and harassing by making derogatory comments about staff.
11. Respondent worked as a licensed practical nurse at Miller's Merry Manor, 612

East 11th Street, Rushville, Indiana 46173 from December 20, 2000 until her termination on August 22, 2001.

12. During her tenure, Respondent was written up for failure to administer medication to two (2) patients on July 3, 2001.

13. On or about August 22, 2001, Respondent was terminated from Miller's Merry Manor for medication error.

14. On or about April 20, 1998, Respondent became employed at Heritage House Rehabilitation and Healthcare Center, 281 South County Road 200 East Connersville, Indiana 47331.

15. On or about December 11, 1998, Respondent received a medication error report for signing off on dispensing medication before she had confirmation that it had been given.

16. On or about December 30, 1998, Respondent received a Disciplinary Notice Warning that she had failed to perform patient treatments and failed to check the medication book prior to dispensing medications.

17. On or about December 11, 1999, Respondent received a Disciplinary Notice Warning that she failed to perform a patient treatment.

18. On or about February 12, 1999, Respondent received a final Disciplinary Notice Warning for termination for failure to administer medications and treatments.

19. On Respondent's renewals for the years 2002 and 2004, Respondent answered "No" to the question, "Since you last renewed, have you ever been terminated, reprimanded, disciplined, or demoted in the scope of your practice as a nurse or as another health care professional?"

COUNT I

1. The conduct described above constitutes a violation of Indiana Code § 25-1-9-4(a)(1)(A) in that the practitioner has knowingly cooperated in fraud or material deception in order to obtain a license to practice.

COUNT II

2. The conduct described above constitutes a violation of Indiana Code § 25-1-9-4(a)(1)(B) in that the practitioner has engaged in fraud or material deception in the course of professional services or activities.

COUNT III

3. The conduct described above constitutes a violation of Indiana Code § 25-1-9-4(a)(4)(B) in that the practitioner has continued to practice although the practitioner has become unsafe to practice due to failure to keep abreast of current professional theory or practice.

COUNT IV

4. The conduct described above constitutes a violation of Indiana Code § 25-1-9-4(a)(4)(A) in that the practitioner has continued to practice although the practitioner has become unfit to practice due to professional incompetence, to wit: 848 IAC 2-3-3 (1) Using unsafe judgment, technical skills, or inappropriate interpersonal behaviors in providing nursing care.

COUNT V

5. The conduct described above constitutes a violation of Indiana Code § 25-1-9-4(a)(4)(A) in that the practitioner has continued to practice although the practitioner has become unfit to practice due to professional incompetence, to wit: 848 IAC 2-3-3 (6) Falsifying, omitting or destroying documentation of nursing actions on the official patient/client record.

COUNT VI

6. The conduct described above constitutes a violation of Indiana Code § 25-1-9 4(a)(4)(A) in that the practitioner has continued to practice although the practitioner has become unfit to practice due to professional incompetence, to wit: 848 IAC 2-3-3 (7) Abandoning or knowingly neglecting patients/clients requiring nursing care.


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; and;
3. Provides any further relief as the Board deems just and proper.

Respectfully submitted,

Steve Carter,
Attorney General of Indiana

By:

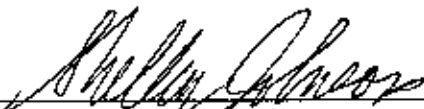


Shelley M. Johnson
Deputy Attorney General
Attorney No.: 22412-49

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 March, 2006.

Debra Jeneane Ray, LPN
1923 Vermont Ave
Connersville, IN 47331



Shelley M. Johnson
Deputy Attorney General

OFFICE OF THE ATTORNEY GENERAL
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204-2770
Telephone Number (317) 233-3715

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