

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2003 NB 0119

STATE OF INDIANA,)
)
Petitioner,)
)
v.)
)
WAYNE FREDERICK POLAND, R.N.,)
License No.: 28131303A,)
)
Respondent.)

FILED
NOV 24 2004
HEALTH PROFESSIONS
BUREAU

**NOTICE OF HEARING AND
EXTENDED SUMMARY SUSPENSION ORDER**

The Indiana State Board of Nursing ("Board"), pursuant to the authority of Indiana Code § 4-21.5-4-1 *et seq.* and Indiana Code § 25-1-9-10, by a vote of 6-0-0, **SUMMARILY SUSPENDS** the license held by Wayne Frederick Poland ("Respondent") for an additional ninety (90) days, as the Board finds that an emergency exists and Respondent represents a clear and immediate danger to the public health and safety if allowed to practice nursing in the State of Indiana.

The Board held a hearing on November 18, 2004, to determine whether the Summary Suspension Order issued on October 16, 2003, should be extended. The State of Indiana was represented by Sara R. Matticks, Deputy Attorney General. The Respondent was notified of the hearing by the Health Professions Bureau but did not appear in person or by counsel.

This **NON-FINAL** emergency order is based on the evidence in the Board's file and the evidence presented at the hearing, which establishes that:

1. Respondent is a licensed registered nurse in the State of Indiana.

2. This Board has jurisdiction to suspend Respondent's license in accordance with the provisions of Indiana Code § 4-21.5-4-3 et seq. and Indiana Code § 25-1-9-10.
3. Respondent was charged with 40 counts of rape in Clark County Arkansas on or about October 2, 2003.
4. Specifically, Respondent was charged with engaging in sexual intercourse or deviate sexual activity with two children under the age of 14 on multiple occasions by force or compulsion between 2000 and September 2003.
5. Respondent is facing 10 years to life imprisonment.
6. Respondent's criminal case is still pending.
7. If allowed to continue to practice as a licensed Registered Nurse, Respondent represents a clear and immediate danger to the public health and safety

WHEREFORE, RESPONDENT IS ORDERED to immediately cease and desist from all acts constituting the practice of nursing for an additional period of ninety (90) days from the date of this order.

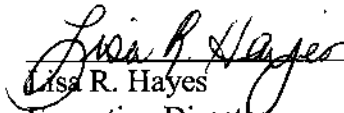
IT IS FURTHER ORDERED, that Respondent shall immediately surrender all indicia of licensure, including his pocket license and wall license, to the Board in care of the Health Professions Bureau, 402 West Washington Street, Room W066, Indianapolis, Indiana 46204.

IT IS FURTHER ORDERED, that a hearing will be held on **January 20, 2005**, at **9:30 a.m.**, in the Auditorium of the Conference Center, Indiana Government Center South Building, 402 West Washington Street, Indianapolis, Indiana, to determine whether the Summary Suspension in this matter should be continued for an additional ninety (90) days.

SO ORDERED, this 24th day of November, 2004.

INDIANA STATE BOARD OF NURSING

By:


Lisa R. Hayes
Executive Director
Health Professions Bureau

Copies to:

Wayne Poland
585 Mt. Zion Road
Arkadelphia, Arkansas 71923

SENT CERTIFIED MAIL NO. 7003 3110 0004 5105 8943
RETURN RECEIPT REQUESTED.

Deputy Attorney General Sara R. Matticks
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Indianapolis, IN 46204-2770
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