

STATE OF INDIANA, )  
)  
Petitioner, )  
)  
v. )  
)  
DEBRA LYN ROBERTSON, R.N., )  
License Number: 28097726, )  
)  
Respondent. )

**FILED**

SEP 08 2000

**HEALTH PROFESSIONS  
BUREAU**

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

The Indiana State Board of Nursing ("Board") held an administrative hearing on May 20, 1999, in Room A of the Conference Center, Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana concerning Debra Lyn Robertson's ("Respondent") Request to Reinstate her license as a registered nurse.

William T. Niemier, Deputy Attorney General, represented the State of Indiana. Respondent appeared in person and by counsel, Steven H. Johnsonbaugh, Attorney at Law in Indianapolis.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 7 to 0, issues the following Findings of Fact, Conclusions of Law and Order:

**FINDINGS OF FACT**

1. Respondent, who resides at 2037 North Livingston Avenue, Indianapolis, Indiana 46222 is a registered nurse with license number 28097726.
2. Respondent received timely and proper notice of the date, time and location of this hearing pursuant to Indiana Code 4-21.5-3-20.
3. The Board is empowered to hold this administrative hearing pursuant to the authority of Indiana Code 25-1-9-9 and Indiana Code 4-21.5-3.
4. Respondent has been addicted to controlled substances since 1996. She received treatment for her addiction, but relapsed in 1997 and 1998. After a hearing

before the Board, Respondent's license was suspended indefinitely in September of 1998.

5. In March 1999, the Respondent requested that her license be reinstated.

6. At the hearing on reinstatement, the Respondent testified that her drug-free date was March 3, 1998.

7. Respondent attends Narcotics Anonymous and nurse support group meetings. Respondent stated that she was in denial about her addiction but is now committed to her recovery. She sees a psychiatrist to be treated for generalized anxiety disorder and major depression. She is also in after-care at Clarian Health where her attendance has been excellent and all her urine screens negative for drugs of abuse.

8. Respondent testified that she feels she is ready to return to practice provided she does not have access to controlled substances.

9. Respondent has demonstrated to the Board that she is able to practice with reasonable skill and safety to the public provided she complies with the probationary terms set out below.

#### CONCLUSIONS OF LAW

1. "The board may reinstate a license which has been suspended under this chapter if, after a hearing, the board is satisfied that the applicant is able to practice with reasonable skill and safety to the public. As a condition of reinstatement, the board may impose disciplinary or corrective measures authorized under this chapter." IND. CODE § 25-1-9-11.

2. Because the Respondent has established that she may practice with reasonable skill and safety to the public if she complies with the terms of her probation, she qualifies for reinstatement of her license on probation.

#### ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board issues the following Order:

1. The Respondent's license as a registered nurse is reinstated on **INDEFINITE PROBATION**. Respondent may petition to have the probationary order withdrawn after a period of three (3) years of active nursing practice.

2. The Respondent's practice of nursing shall be governed by the following **TERMS AND CONDITIONS**:

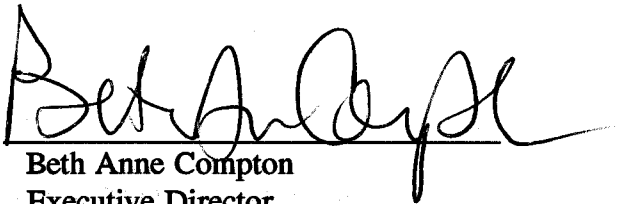
- a) Respondent shall keep the Board informed of her residential address and telephone number at all times.
- b) Respondent shall keep the Board informed of her nursing employer(s) name, address and telephone number.
- c) Respondent shall provide a copy of all Board orders imposing discipline or limiting practice to any employer who shall sign and return a copy of such orders to the Board within seven (7) days of employment or receipt of this order.
- d) Respondent shall be responsible for causing her nursing employer(s) to submit quarterly supervisor reports addressing *attendance, competency and lack of access to controlled substances*.
- e) Respondent shall submit to random, unannounced urine drug/alcohol screens every month for the first year she is on probation and quarterly thereafter. The screens will test specifically, but not exclusively, for Respondent's drug of choice (Demerol), and the results must be sent directly to the Board.
- f) Respondent shall provide a standing physician's order for random urine drug/alcohol screens to the Board within ten (10) days of receipt of this order so the Board can order a screen if necessary.
- g) Respondent shall provide a copy of any authorized prescription(s) obtained to the Board within thirty (30) days of receiving such prescription(s).
- h) Respondent shall attend at least three (3) AA/NA, Caduceus, Rational Recovery or nurse support group meetings per week, but she will not receive credit for attending more than one meeting if she attends more than one meeting a day.
- i) Respondent shall submit verification of attendance at the above stated meetings to the Board on a quarterly basis.
- j) Respondent shall have no access to any mood or mind altering substances including controlled substances, but may petition the Board to lift this restriction after a period of one (1) year of active nursing practice.
- k) Respondent shall not practice in the following areas: intensive care, critical care, emergency room, home health agency or temporary (pool) nursing, but may work in a physician's office setting.
- l) Respondent shall continue counseling with her therapist until the therapist recommends termination and verifies such recommendations to the Board in writing.

m) Respondent shall have an affirmative duty to report a relapse into unauthorized use of drugs or alcohol to the Health Professions Bureau within seventy-two (72) hours of such relapse.

3. The failure of Respondent to comply with the terms of this order may subject her to a show cause hearing and the imposition of further sanctions.

SO ORDERED, this 9<sup>th</sup> day of September, 2000.

**INDIANA STATE BOARD OF NURSING**

BY:   
Beth Anne Compton  
Executive Director  
Health Professions Bureau

Copies to:

Debra Lyn Robertson, R.N.  
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Indianapolis, IN 46222

**SENT BY CERTIFIED MAIL #: 7099 3400 0006 4117 8557**  
**RETURN RECEIPT REQUESTED**

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