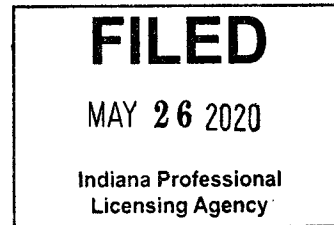


BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2019 NB 0028

IN THE MATTER OF THE LICENSE OF:)
JULIE ANN ROSS, R.N.,)
LICENSE NO: 28230249A)



FINAL ORDER

Mary Rock, R.N., J.D., designated by the Indiana State Board of Nursing ("Board"), pursuant to Ind. Code § 4-21.5-3-9 to act as an administrative law judge ("ALJ"), held an administrative hearing on January 16, 2020, concerning the Complaint filed by the State of Indiana ("Petitioner") against the nursing license of Julie Ann Ross R.N. ("Respondent").

A copy of the ALJ's Recommended Findings of Fact, Conclusions of Law and Order is attached hereto as **Exhibit A** and made a part hereof.

Pursuant to Ind. Code § 4-21.5-3-29(c) the Board, at its meeting on May 21, 2020, votes 9 to 0 to affirm said Recommended Findings of Fact, Conclusions of Law and Order and adopt it as a final order in this proceeding.

ISSUED this 26th day of May, 2020.

INDIANA STATE BOARD OF NURSING

By: Maureen Bennett
for Kim Cooper, R.N.
Board President
Indiana State Board of Nursing

CERTIFICATE OF SERVICE

I certify that a copy of the "Final Order" has been duly served upon:

Julie Ann Ross
7132 W Polk Road
Lexington, IN 47138
Service by US Mail

Hilary L. Brown Deputy Attorney General
Indiana Government Center South, Fifth Floor
302 West Washington Street
Indianapolis, Indiana 46204-2770
Hilary.Brown@atg.in.gov
Service by Email

5-20-2020

Date

Lisa Chapman

Lisa Chapman, Litigation Coordinator

Indiana State Board of Nursing
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2043
Fax: 317-233-4236
Email: pla2@pla.in.gov

Explanation of Service Methods

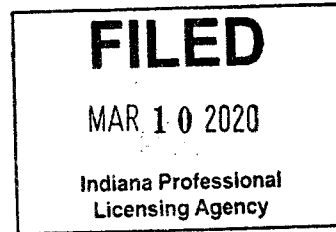
Personal Service: by delivering a true copy of the aforesaid document(s) personally.

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.

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2019 NB 0028

IN THE MATTER OF THE LICENSE OF:)
JULIE ANN ROSS, R.N.,)
LICENSE NO: 28230249A)



RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Mary Rock, R.N., J.D., designated by the Indiana State Board of Nursing ("Board") pursuant to Ind. Code § 4-21.5-3-9 to act as an administrative law judge ("ALJ"), held an administrative hearing on January 16, 2020, in Room 6 of the Conference Center, Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana concerning the Complaint filed by the State of Indiana against the registered nursing license of Julie Ann Ross, R.N. ("Respondent").

Respondent failed to appear in person or by counsel. Hilary L. Brown, Deputy Attorney General, represented the State of Indiana ("Petitioner").

On or about June 5, 2019, the Indiana Professional Licensing Agency ("IPLA") sent notice to the Respondent's address on file with IPLA informing the Respondent of the date, time, and place of a Pre-hearing Settlement Conference scheduled for October 3, 2019.

A Notice of Proposed Default was granted by the Board on October 3, 2019, after Respondent failed to appear for the scheduled Pre-hearing Settlement Conference. A Notice of Proposed Default Order was mailed to Respondent at her address on file with IPLA on or about October 22, 2019. No response has been received.

The ALJ, after considering the evidence presented and taking official notice of the file in this matter finds Respondent to be in **DEFAULT** and issues the following Recommended Findings of Fact, Conclusions of Law and Order:

RECOMMENDED FINDINGS OF FACT

1. Respondent is a Registered Nurse ("RN") in the State of Indiana, having been granted RN License Number 28230249A on June 20, 2016, by the Indiana State Board of Nursing ("Board").
2. Respondent's address on file with the Board is 7132 W. Polk Road, Lexington, Indiana 47138.
3. At all relevant times, Respondent was an RN at the Waters of Dillsboro-Ross Manor ("Ross Manor"), a long term care facility located in Dillsboro, Indiana.
4. On or about September 15, 2017, D.O., a resident of Ross Manor, informed Ross Manor staff that her wallet was missing. D.O. reported she first noticed her wallet was missing on August 11, 2017, and that the last purchase she made using her debit card was at a Walmart in June 2017. Ross Manor staff searched the facility, but D.O.'s wallet was not located.
5. On or about September 18, 2017, Ross Manor staff received D.O.'s monthly bank statement containing her debit card activity. This statement covered transaction activity between August 5 and September 7, 2017, and listed a number of unusual charges, several of which were made after D.O. noticed her wallet was missing. Ross Manor staff immediately reported this to the Dearborn County Sheriff's Office.
6. One of the suspicious charges was a payment of \$60.68 to Straight Talk Wireless, a cell phone service, on September 6, 2017. Ross Manor staff contacted Straight Talk Wireless and obtained the phone number to which that payment was credited. The phone number was 812-592-7573, the cell phone number on file at Ross Manor for Respondent.

7. Deputy Hayden Hummel ("Deputy Hummel") arrived at Ross Manor just as staff were confirming that the suspicious payment was credited to Respondent's phone number. Deputy Hummel spoke with Respondent, who denied taking D.O.'s card.

8. On or about September 19, 2017, Deputy Hummel went to a Walmart in Aurora, Indiana, where one of the suspicious transactions took place. Walmart staff allowed Deputy Hummel to review the transaction details and security camera footage of the transaction. The transaction details showed that D.O.'s debit card was used to purchase a candy bar, a soda, and a pre-paid Tracfone card. The security camera footage showed that Respondent was the purchaser. Later, Tracfone confirmed that the pre-paid card purchased was credited to Respondent's phone number.

9. On or about September 22, 2017, Ross Manor terminated Respondent's employment.

10. On or about October 24, 2017, Respondent was charged in Dearborn Circuit Court under cause number 15C01-1710-F5-000084 with the following:

- a. Fraud on a Financial Institution, a Level 5 Felony;
- b. Forgery, a Level 5 Felony;
- c. Theft, a Class A Misdemeanor;
- d. Exploitation of a Dependent or an Endangered Adult, upgraded to a Level 6 Felony because D.O. was over the age of 60.

11. On October 31, 2017, Respondent submitted her license renewal application and when asked if she had been terminated, reprimanded, disciplined, or demoted in the scope of her practice as a nurse since she last renewed her license, Respondent answered "No." Respondent

should have answered affirmatively that she had been terminated since she last renewed her license.

12. On or about October 10, 2018, Respondent entered a guilty plea to Fraud on a Financial Institution as a Level 5 Felony and Exploitation of an Endangered Adult as a Level 6 Felony. Judgment of conviction was entered on the same date, and Respondent was sentenced to six (6) years, with one (1) year executed on in-home incarceration and five (5) years suspended on probation.

CONCLUSIONS OF LAW

1. Respondent is in violation of Ind. Code § 25-1-9-4(a)(2)(B).
2. Respondent is in violation of Ind. Code § 25-1-9-4(a)(1)(A).
3. Respondent is in violation of Ind. Code § 25-1-9-4(a)(3), 848 IAC 2-2-3(12).
4. Respondent is in violation of Ind. Code § 25-1-9-4(a)(5).
5. Respondent is in violation of Ind. Code § 25-1-9-4(a)(1)(B).

RECOMMENDED ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the ALJ recommends the following **ORDER**:

1. Respondent's license shall be placed on **INDEFINITE SUSPENSION** for a period of at least **one (1) year**.
2. Respondent shall, within one hundred eighty (180) days of the Final Order, pay a **FINE** in the amount of **FIVE HUNDRED DOLLARS (\$500.00)** payable to the Indiana Professional Licensing Agency at the following address:

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

3. 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: Executive Assistant - CPD
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

SO ORDERED, this 10th day of March, 2020.

ADMINISTRATIVE LAW JUDGE
INDIANA STATE BOARD OF NURSING

for By: Maureen Bennett
Mary Rock, R.N.
Administrative Law Judge
Indiana State Board of Nursing

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CERTIFICATE OF SERVICE

I certify that a copy of the "Recommended Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Julie Ann Ross
7132 W Polk Road
Lexington, IN 47138
Service by US Mail

Hilary Brown, Deputy Attorney General
Indiana Government Center South, Fifth Floor
302 West Washington Street
Indianapolis, Indiana 46204-2770
Hilary.Brown@atg.in.gov
Service by Email

March 10, 2020
Date

Lisa Chapman

Lisa Chapman, Litigation Coordinator

Indiana State Board of Nursing
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2043
Fax: 317-233-4236
Email: pla2@pla.in.gov

Explanation of Service Methods

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