

FINDINGS OF FACT

1. The Respondent's address on file with the Board is 764 Forest Court, Nappanee, Indiana, 46550, and she is a duly licensed registered nurse in the State of Indiana having been issued license number 28103330A.

2. On or around June 22, 2001, a consumer complaint was filed with the Office of the Attorney General ("OAG") by Cancer Treatment Centers of America of Goshen alleging Respondent falsified prescriptions under a physician's name. Respondent admitted to the allegations in her response letter to the OAG dated August 24, 2001.

3. On or around July 17, 2001 Respondent signed a five (5) year Recovery Monitoring Agreement ("RMA") with the Indiana State Nurses Assistance Program ("ISNAP"). The OAG closed its consumer file based on Respondent's compliance with ISNAP, and no administrative complaint was filed.

4. Respondent reports that she suffered severe injuries to her spine in an automobile accident in 1988 which caused her to seek pain management treatment. Respondent indicated that she experienced increased complications with her back and was having severe back pain following the birth of her daughter in August of 2003.

5. Respondent states in a letter to the OAG, dated May 5, 2005, that she had a "short relapse" for which she sought treatment from Addictionist, Dr. Susan Taccheri, ("Dr. Taccheri") in September of 2004. At that time, Respondent was prescribed methadone.

6. On or around October 5, 2004, ISNAP informed Respondent and Dr. Teccheri that Respondent could not be monitored by ISNAP if she remained on methadone. These discussions

with ISNAP, Dr. Teccheri, and Respondent, about the need for Respondent to be off methadone to be compliant with ISNAP programming continued until early 2005.

7. On or around April 7, 2005, Respondent's case was closed by ISNAP since they were unable to monitor Respondent due to her ongoing use of prescription methadone for chronic pain.

8. Respondent has remained on prescription methadone and under the care of Dr. Taccheri and Respondent's pain management physician, Dr. David Beatty.

9. On or around October 31, 2005, Respondent's nursing license expired.

10. Respondent is not currently involved in a recovery monitoring program and is currently not able to be monitored.

ULTIMATE FINDINGS OF FACT

1. Respondent's conduct constitutes a violation of Indiana Code § 25-1-9(a)(1)(B) in that Respondent has engaged in fraud or material deception in the course of professional services or activities.

2. Respondent's conduct constitutes a violation of Ind. Code § 25-1-9(a)(4)(D) in that Respondent has continued to practice although she has become unfit to practice due to addiction to, abuse of, or severe dependency upon alcohol or other drugs that endanger the public by impairing her ability to practice safely.

CONCLUSIONS OF LAW

1. Respondent's failure to comply with the above referenced standards is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or a revocation of license, and a fine up to the

amount of \$1000.00 per violation, as detailed at Ind. Code § 25-1-9-9 and Ind. Code § 25-23-1-7.

ORDER

Based upon the above Findings of Fact, the Board issues the following Order:

1. Respondent's Indiana registered nurse license is placed on **INDEFINITE SUSPENSION** until she has demonstrated ninety (90) days of compliance with her ISNAP Recovery Monitoring Agreement.

2. Respondent must renew her expired registered nurse license in order to be eligible for the ISNAP program.

3. Respondent shall sign a Recovery Monitoring Agreement with ISNAP and follow ISNAP's recommendations for recovery monitoring.

4. Upon verification by ISNAP to the Board that Respondent has been compliant with an ISNAP Recovery Monitoring Agreement for ninety (90) days, the Respondent's license will be placed on **INDEFINITE PROBATION** with the following conditions precedent for her to request withdrawal of probation:

(a) Respondent must comply with the terms of her Recovery Monitoring Agreement with ISNAP.

(b) Respondent must successfully complete the ISNAP program.

(c) Respondent must appear before the Board in order to demonstrate her safety to practice nursing and her willingness to adhere to the laws and rules governing the profession.

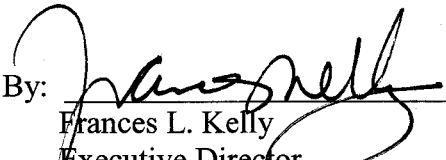
5. Respondent further understands that:

- (a). A violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of nursing;
- (b). Any violation of the Settlement Agreement

may result in the State requesting an emergency suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Indiana Code §25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

SO ORDERED, this 31 day of August 2006.

INDIANA STATE BOARD OF NURSING

By: 

Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

Copies to:

Beth Ann Sechrist, R.N.
764 Forest Court
Nappanee, IN 46550

CERTIFIED MAIL NUMBER: 7003 3110 0004 5094 3905
RETURN RECEIPT REQUESTED

Deputy Attorney General Linda M. Batten
Office of the Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204-2770