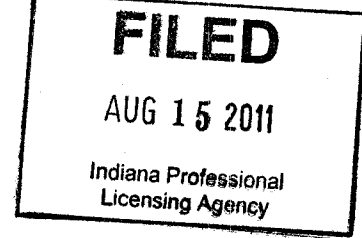


BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2011 NB 255

IN THE MATTER OF THE LICENSE OF:)
)
AMANDA LYNN SMITH, R.N.,)
)
LICENSE NO: 28185504A. (Active))



COMPLAINT

The State of Indiana (Petitioner), by counsel, Deputy Attorney General David A. Fleischhacker, on behalf of the Office of the Attorney General, and pursuant to Ind. Code § 25-1-7-7, Ind. Code ch. 25-1-5, Ind. Code § 25-23-1-7, the Administrative Orders and Procedures Act, Ind. Code ch. 4-21.5-3, and Ind. Code ch. 25-1-9, files its Complaint against the Indiana nursing license of Amanda Lynn Smith, R.N. (Respondent), and in support alleges and states the following:

FACTS

1. Respondent's address on file with the Indiana Professional Licensing Agency (IPLA) is 2270 West 700 South, Ashley, Indiana 46705. Respondent is a Registered Nurse (R.N.) in the State of Indiana having been issued license number 28185504A in June 2009.
2. On or about April 30, 2008, Respondent was charged with operating a vehicle while intoxicated – endangering a person, a Class A Misdemeanor, and operating a vehicle with at least .08 gram alcohol content, a Class C Misdemeanor, in Stueben County (Indiana) Superior Court in Cause Number 76D01-0804-CM-0472. Respondent had failed three (3) field sobriety tests and registered a .11 gram alcohol content when given a chemical test.
3. On or about May 16, 2008, Respondent was also charged with reckless driving, a Class B Misdemeanor, in Cause Number 76D01-0804-CM-0472.

4. On or about September 26, 2008, Respondent pled guilty to and was convicted of reckless driving, a Class B Misdemeanor, in Cause Number 76D01-0804-CM-472; all other charges were dismissed.

5. On or about May 1, 2009, Respondent submitted to IPLA an Application for Licensure by Examination for her Indiana R.N. license. Respondent disclosed her criminal conviction.

6. On or about June 18, 2009, Respondent appeared before the Indiana State Board of Nursing (Board) and was granted an R.N. license free and clear. The Board recommended that Respondent contact the Indiana State Nurses Assistance Program (ISNAP) and enter a recovery monitoring agreement (RMA) if eligible.

7. On or about June 25, 2009, Respondent began intake with the ISNAP.

8. On or about July 6, 2009, Respondent was diagnosed with alcohol abuse in remission.

9. On or about July 23, 2009, Respondent entered into a six (6) month RMA with ISNAP.

10. On or about November 11, 2009, Respondent's quarterly compliance report with ISNAP showed Respondent in significant non-compliance. Respondent had not provided ISNAP with any meeting logs and had missed five (5) urine drug screens (UDS).

11. On or about December 4, 2009, ISNAP extended Respondent's RMA by three (3) months due to her significant non-compliance.

12. On or about February 10, 2010, Respondent's quarterly compliance report with ISNAP showed Respondent in partial compliance. Respondent had not provided ISNAP with a worksite monitor report, meeting logs for October and November, and had missed one (1) UDS.

13. On or about May 17, 2010, Respondent's quarterly compliance report with ISNAP showed Respondent in significant non-compliance. Respondent did not submit self-reports or meeting logs for February or March.

14. On or about July 7, 2010, ISNAP closed Respondent's case because of significant non-compliance with her RMA.

COUNT I

15. Paragraphs 1 through 14 are incorporated herein by reference.

16. Respondent violated Ind. Code § 25-1-9-4(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 Respondent's ability to practice safely as evidenced by Respondent's September 2008 conviction of reckless driving, a Class B Misdemeanor, in Steuben County, Indiana, in cause number 76D01-0804-CM-472 that resulted from drinking and driving, her diagnosis of alcohol abuse in remission, and her closure from ISNAP for significant non-compliance with her RMA.

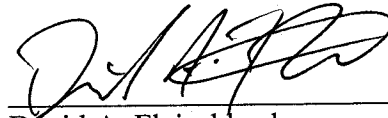
WHEREFORE, Petitioner demands an order against Respondent that:

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,

Gregory F. Zoeller
Attorney General of Indiana
Attorney No. 1958-98

By:



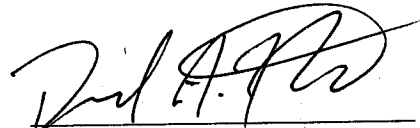
David A. Fleischhacker
Deputy Attorney General
Attorney No. 28563-49

CERTIFICATE OF SERVICE

I certify that a copy of the "Complaint" has been duly served upon Respondent, by
United States mail, first-class, postage prepaid, on this 15th day of August, 2011.

Amanda Lynn Smith, R.N.
2270 West 700 South
Ashley, IN 46705

By:



David A. Fleischhacker
Deputy Attorney General
Attorney No. 28563-49

Indiana Government Center South
302 West Washington St., Fifth Floor
Indianapolis, IN 46204-2770
Phone: 317-232-4774
Fax: 317-233-4393
Email: David.Fleischhacker@atg.in.gov