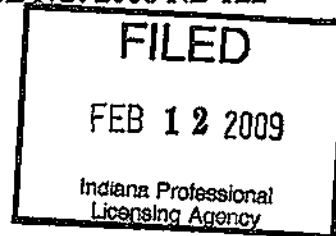


BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NO. 2008 NB 122

IN THE MATTER OF THE)
LICENSE OF)
DAWN ELAINE SPARKS, LPN)
LICENSE NO: 27047822A)



FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Indiana State Board of Nursing ("Board") held an administrative hearing on January 15, 2009, in the Auditorium of the Conference Center in the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, 46204, concerning a disciplinary complaint filed by the State of Indiana against Dawn Elaine Sparks, Licenced Practical Nurse ("Respondent") on October 9, 2008.

The State of Indiana was represented by Elizabeth Kiefner Crawford, Deputy Attorney General. Respondent failed to appear in person or by counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 5-0-0, finds the Respondent to be in default. The Board then held further proceedings in the Respondent's absence and, after considering the evidence presented and taking official notice of its file in this matter, by another vote of 5-0-0, issues the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent's address on file with the Board is 1900 Lakeside Drive #H Franklin, Indiana 46131 and she is a licensed practical nurse ("LPN") holding Indiana license number 27047822A.

2. From approximately March 17, 2004 to February 5, 2005, Respondent was employed as an LPN at Greenwood Village South in Greenwood, Indiana. Respondent's employment was terminated for misuse of the company worker's compensation pharmacy account after a personal prescription for Respondent was called into the worker's compensation carrier.

3. At some point prior to her termination from Greenwood Village South, Respondent was asked for a copy of her updated LPN license. Respondent's Indiana LPN license expired by operation of law on October 31, 2004. Respondent admitted that she worked on an expired license from October 31, 2004 until sometime in January 2005.

4. On October 9, 2008, the State of Indiana filed an administrative complaint against the Respondent in this matter.

5. On October 15, 2008, the Indiana Professional Licensing Agency sent Respondent via certified mail a notice informing the Respondent of the date, time and location of the final hearing scheduled in this matter.

6. Pursuant to Indiana Code 4-21.5-3-20, the Respondent was provided adequate notice of the final hearing and failed to appear in person or by counsel.

7. On December 24, 2008, the Board issued a Notice of Proposed Default Order, which was sent to Respondent via certified mail.

8. The Respondent failed to respond to the Board's Notice of Proposed Default Order within seven (7) days as required by Ind. Code 4-21.5-3-24.

9. On January 15, 2009, the Board voted to hold the Respondent in default.

CONCLUSIONS OF LAW

Respondent is in violation of Indiana Code § 25-1-9-4(a)(1)(B), in that, the Respondent engaged in material deception in the course of professional services or activities as evidenced by Respondent's admission that she worked at Greenwood Village South as an LPN from October 31, 2004 until January 2005 on an expired license.

ULTIMATE FINDINGS OF FACT

The 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 a censure, a letter of reprimand, probation, suspension, or a revocation of license, and a fine up to the amount of \$1,000.00 per violation, as detailed at Ind. Code § 25-1-9-9.

ORDER

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

1. Respondent shall receive a **LETTER OF REPRIMAND**, which is attached and incorporated as part of her permanent file at the Indiana Professional Licensing Agency.
2. Respondent shall pay a **FINE** in the amount of **THREE HUNDRED DOLLARS (\$300.00)** to the Indiana Professional Licensing Agency within ninety (90) days of the Board's final order in this matter.
3. Respondent shall pay to the Indiana Office of the Attorney General **COSTS** in the amount of **FIFTEEN DOLLARS (\$15.00)** within ninety days of the Board's final order in this matter.

SO ORDERED this 12 day of February, 2009.

INDIANA STATE BOARD OF NURSING

By:



Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

Copies to:

Dawn Sparks
1900 Lakeside Drive #H
Franklin, IN 46131

**SENT CERTIFIED MAIL NO. 7002 0510 0002 5863 3820
RETURN RECEIPT REQUESTED.**

Elizabeth Kiefner Crawford
Deputy Attorney General
OFFICE OF THE ATTORNEY GENERAL
302 West Washington Street, 5th Floor
Indianapolis, Indiana 46204-2770



www.PLA.IN.gov
Governor Mitchell E. Daniels, Jr.

402 W. Washington St. Room W072
Indianapolis, IN 46204
Tel : (317) 232-2980 Fax : (317) 233-4236

February 12, 2009

Dawn Sparks
1900 Lakeside Drive #H
Franklin, IN 46131

Re: State of Indiana v. Dawn Elaine Sparks, LPN
Before the Indiana State Board of Nursing Cause No. 2008 NB 122

Dear Ms. Sparks:

This letter of reprimand is issued in accordance with the Findings of Fact, Conclusions of Law and Order issued by the Indiana State Board of Nursing resolving the administrative complaint against your Indiana practical nurse license filed by the Office of the Attorney General, Division of Consumer Protection, on or about October 9, 2008.

The purpose of this reprimand is to stress the important responsibility that you have by reason of possession of a license to practice nursing in the State of Indiana.

The Findings of Fact, Conclusions of Law and Order is attached and incorporated herein as part of this reprimand.

It is your responsibility to conduct your practice of nursing in accordance with the standards of the profession.

Sincerely,

INDIANA STATE BOARD OF NURSING

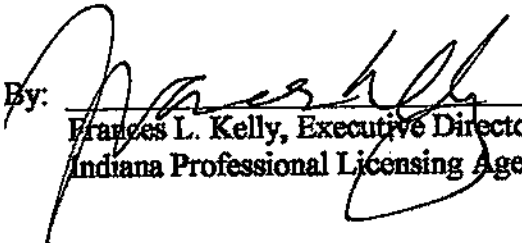
By: 
Frances L. Kelly, Executive Director
Indiana Professional Licensing Agency

Exhibit A