

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2019 NB 0011

IN THE MATTER OF THE LICENSE OF)
)
AMANDA J. DAVIDSON, LPN)
)
LICENSE NO: 27066371A (PROBATION))



ADMINISTRATIVE COMPLAINT

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

FACTS

1. Respondent is a Licensed Practical Nurse (LPN) in the State of Indiana, having been granted LPN License Number 27066371A on or about January 25, 2011, by the Board.
2. Respondent's address on file with the Board is P.O. Box 61, Westphalia, Indiana, 47596.
3. Respondent's LPN license was issued on probation after she disclosed she had been arrested for purchasing too much pseudoephedrine in a thirty (30) day period.
4. Respondent was employed as an LPN at Hillside Manor in Washington, Indiana, from August 12, 2013 until December 29, 2015.

5. On or about December 29, 2015, Respondent was stopped by an officer from Daviess County Sheriff's Department and found in possession of methamphetamine, two (2) Lortab (hydrocodone-acetaminophen, a Schedule II Controlled Substance) pills, and cups and bags with the Hillside Manor logo on them which are used by the facility to store and administer medication. Following this traffic stop, Respondent was arrested and charged with Possession of Methamphetamine, a level 6 felony, Maintaining a Common Nuisance, a level 6 felony, and Possession of a Controlled Substance, a class A misdemeanor, in Daviess County Superior Court, Cause Number 14D01-1607-F6-000898. Hillside Manor terminated Respondent upon notification of Respondent's arrest the same date.

6. On or about November 22, 2016, Respondent answered "No" to the question "Since you last renewed, and except for any minor violations of traffic laws resulting in fines or arrests and convictions that have been expunged by a court, have you been arrested, entered into a diversion agreement, been convicted of, pled guilty to, or pled nolo contendere to any offense, misdemeanor, or felony in any state?" on Respondent's LPN license renewal application.

7. On or about October 31, 2017, Respondent pled guilty to Possession of Methamphetamine, a level 6 felony, related to the charges filed against her in Cause Number 14D01-1607-F6-000898. The other two charges were dismissed.

VIOLATION I

9. Paragraphs 1 through 7 are hereby incorporated by reference herein.

10. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(1)(A) in that Respondent has engaged in or knowingly cooperated in fraud or material deception in order to obtain a license to practice as evidenced by Respondent's answering "No" to the question "Since

you last renewed, and except for any minor violations of traffic laws resulting in fines or arrests and convictions that have been expunged by a court, have you been arrested, entered into a diversion agreement, been convicted of, pled guilty to, or pled nolo contendere to any offense, misdemeanor, or felony in any state?" on her November 22, 2016, LPN license renewal application when she had been arrested and charged for methamphetamine possession, maintaining a common nuisance, and possession of a controlled substance on December 29, 2015.

VIOLATION II

11. Paragraphs 1 through 8 are hereby incorporated by reference herein.

12. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent has diverted a legend drug as evidenced by Respondent's being found in possession of two (2) Lortab pills by the Daviess County Sheriff's Department on December 29, 2015, when Respondent's INSPECT Reports show she had no valid prescription for Lortab at the time.

VIOLATION III

13. Paragraphs 1 through 8 are hereby incorporated by reference herein.

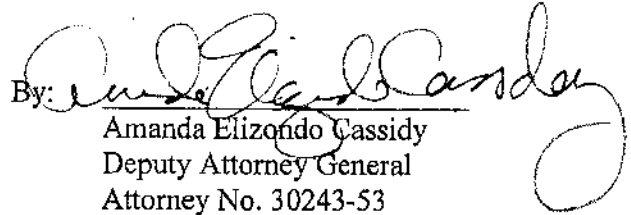
14. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(2)(A) in that Respondent has been convicted of a crime that is harmful to the public as evidenced by her conviction under Cause No. 14D01-1607-F6-000898.

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,

Curtis T. Hill, Jr.
Indiana Attorney General
Attorney No.: 13999-20

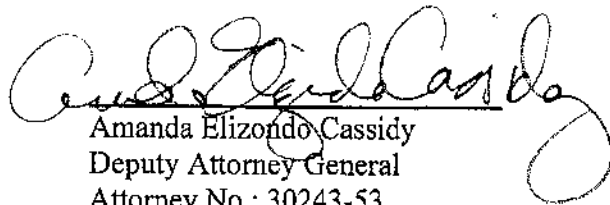
By: 

Amanda Elizondo Cassidy
Deputy Attorney General
Attorney No. 30243-53

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Administrative Complaint" has been served upon the individual listed below, by UPS, first class postage prepaid, on this 10th day of January, 2019.

Amanda J. Davidson, L.P.N.
P.O. Box 61
Westphalia, Indiana, 47596


Amanda Elizondo Cassidy
Deputy Attorney General
Attorney No.: 30243-53

Amanda Elizondo Cassidy
Deputy Attorney General
Office of the Indiana Attorney General
8005 Castleway Drive
Indianapolis, IN 46250
Phone: (317) 915-5305
Fax: (317) 232-7979
Amanda.Cassidy@atg.in.gov