

**INDIANA STATE BOARD OF NURSING  
ADMINISTRATIVE LAW JUDGE MEETING**

Will meet on

Thursday, July 1, 2010

at 9:00 a.m.

in Conference Room 4 of the  
Indiana Government Center-South  
302 West Washington Street  
Indianapolis, Indiana 46204

The following hearings are scheduled to begin at 9:00 a.m. Cases will be heard on order of arrival. These hearings will be conducted by an Administrative Law Judge, who will present recommended findings to the Full Board and to the licensee prior to the next scheduled full Board Meeting for final action.

- A. In the Matter of the License of: Kimberly Embry, L.P.N., License No. 27038710A**  
Administrative Cause No. 2009 NB 026  
Re: Request to Withdraw Probation
  
- B. In the Matter of the License of: Suzanne Klinker (Balkas), R.N., License No. 28186948A**  
Administrative Cause No. 2009 NB 174  
Re: Request to Withdraw Probation
  
- C. State of Indiana v. Dawn Michelle Martin, L.P.N., License No. 27050192A**  
Administrative Cause No. 2005 NB 0132  
Re: Request to Reinstate
  
- D. In the Matter of the License of: Brandy Jones, L.P.N., License No. 28186307A**  
Administrative Cause No. 2009 NB 130  
Re: Request to Withdraw Probation
  
- E. In the Matter of the License of: Liesel Delamater, R. N., License No. 28170795A**  
Administrative Cause No. 2009 NB 192  
Re: Request to Withdraw Probation
  
- F. In the Matter of the License of: Laura Leona Boyd, R.N., License No. 28093759A**  
Administrative Cause No. 2009 NB 033  
Re: Request to Reinstate
  
- G. In the Matter of the License of: Alicia Berg, L.P.N., License No. 27062317A**  
Administrative Cause No. 2008 NB 125  
Re: Request to Reinstate
  
- H. State of Indiana v. Kevin Michael Price, R.N., License No. 28172210A**  
Administrative Cause No. 2007 NB 058  
Request to Withdraw Probation

**Next Scheduled Meetings:**

**Thursday, July 15, 2010 - Full Board Meeting**  
Indiana Government Center-South  
8:30 AM, Auditorium

BEFORE THE INDIANA  
STATE BOARD OF NURSING  
CAUSE NUMBER: 2009 NB 026

IN THE MATTER OF THE LICENSE OF: )

KIMBERLY DAWN EMBRY )

LICENSE NUMBER: 27038710A )



HEARING NOTICE

Comes now the Indiana State Board of Nursing ("Board") pursuant to I.C. § 4-21.5-3-20 and issues the following hearing notice:

1. This notice is being provided to Respondent, Kimberly Dawn Embry, L.P.N., 8640 Derby Court, Indianapolis, Indiana, 46256.
2. This notice is being given to counsel for Petitioner, State of Indiana, Laura Wilford, Deputy Attorney General, Office of the Attorney General, Indiana Government Center South, 302 West Washington Street, 5th floor, Indianapolis, Indiana 46204, telephone number (317) 234-2600.
3. The official cause number of this action is 2009 NB 026.
4. This action is a hearing to determine whether the terms of probation on Respondent's L.P. N. license should be withdrawn.
5. A hearing regarding this matter will be held on **July 1, 2010 at 9:00 a.m.**, Eastern Standard Time, in the Indiana Government Center South, Conference Center Room 4, located at 402 West Washington Street, Indianapolis, Indiana, 46204.
6. The Board is empowered to hold this disciplinary hearing pursuant to the authority of IC 25-1-9 and IC 4-21.5-3 et seq.

7. Jerry Burghduff, L.P.N., will be presiding as administrative law judge in this matter. Sean Gorman, Director of the Board, may be contacted to obtain information concerning hearing schedules and procedures by mail in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204, by e-mail at [pla2@pla.in.gov](mailto:pla2@pla.in.gov), by facsimile at 317-233-4236, or by telephone at 317-234-2043.
8. The hearing will address the issues contained in the Request to Withdraw and the Findings of Fact, Ultimate Finding of Fact, Conclusion of Law and Order filed June 12, 2009, and the petition to Withdraw probation submitted by the Respondent May 11, 2010 which are attached hereto and incorporated herein by reference as Exhibits A and B.
9. Any party may be advised and represented by counsel at the party's own expense.
10. A party who fails to attend or participate in a pre-hearing conference, hearing, or other later stage of this proceeding may be held in default or have the proceeding dismissed under section 24 of IC 4-21.5-3.

ORDERED this 16 day of June 2010.

INDIANA STATE BOARD OF NURSING

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

Copies to:

Kimberly Embry, L.P.N.

8640 Derby Ct.

Indianapolis, IN 46256

**CERTIFIED MAIL NUMBER: 91 7190 0005 2720 0001 5577**

**RETURN RECEIPT REQUESTED**

Laura Wilford, Deputy Attorney General

Office of the Attorney General

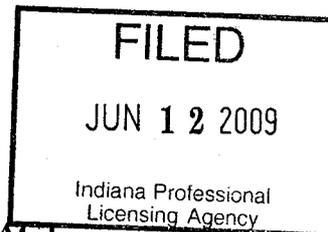
Indiana Government Center South

302 West Washington Street, 5<sup>th</sup> Floor

Indianapolis, Indiana 46204

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2009 NB 026

IN THE MATTER OF THE LICENSE OF )  
 )  
KIMBERLY DAWN EMBRY, L.P.N., )  
 )  
LICENSE NO: 27038710A )



**FINDINGS OF FACT, ULTIMATE FINDING OF FACT,**

**CONCLUSION OF LAW AND ORDER**

The State of Indiana, by Laura E. Wilford, Deputy Attorney General, (“Petitioner”), and Kimberly Dawn Embry, L.P.N. (“Respondent”), signed a Settlement Agreement (“Agreement”) that purports to resolve all issues involved in the action by the Petitioner before the Indiana State Board of Nursing (“Board”) regarding Respondent’s license, and that Agreement has been submitted to the Board for approval.

The Board, after reviewing the Agreement at the May 21, 2009, meeting now finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Board hereby incorporates the Agreement as if fully set forth herein and approves and adopts in full the Agreement as a resolution of this matter. The Board approved this Agreement by a vote of 7-0-0. Incorporated into the Agreement was the consensus of both parties to the following Findings of Fact, Ultimate Findings of Fact, Conclusion of Law and Order. The Board, hereby issues the following Findings of Fact, Ultimate Findings of Fact, Conclusion of Law and Order:

**FINDINGS OF FACT**

1. Respondent’s address on file with the Indiana Professional Licensing Agency is 8640 Derby Court, Indianapolis, Indiana 46229 and she is a Licensed Practical Nurse in the State of Indiana having been issued license number 27038710A in 1994.

*Exhibit A*

2. On or around July 14, 2003, Respondent began employment at Rheumatology Associates located in Indianapolis, Indiana.

3. On or around September 3, 2004, Respondent was charged in Hamilton County under cause number 29D05-0409-CM0005944 with Operating a Vehicle While Intoxicated Endangering a Person, a Class A Misdemeanor.

4. On or around October 31, 2004, Respondent's Indiana nursing license expired.

5. On or around November 3, 2004, Respondent renewed her Indiana nursing license online and answered all questions "NO," including question number three (3), which asks: "Since you last renewed, have you been charged with or convicted of a crime, or have charges been dismissed?"

6. On or around November 22, 2004, Respondent pled guilty under cause number 29D05-0409-CM0005944 with Operating a Vehicle While Intoxicated Endangering Person, a Class A Misdemeanor. Respondent was sentenced to one (1) year of probation.

7. On or around November 29, 2005, Respondent's criminal probation under cause number 29D05-0409-CM0005944 was discharged as she met all conditions of her probation.

8. On or around September 21, 2006, Respondent renewed her Indiana nursing license online and answered all questions "NO," including question number three (3), which asks: "Since you last renewed, have you been convicted of or pled guilty to a violation of federal or state law or are criminal charges pending?"

9. On or around July 13, 2007, Respondent was charged in Marion County under cause number 49-G16-0707-CM-1348487 with Public Intoxication, a Class B Misdemeanor and Battery, a Class A Misdemeanor.

10. On or around October 22, 2007, Respondent initiated contact with the Indiana State Nurses Assistance Program ("ISNAP").

11. On or around October 24, 2007, ISNAP received Respondent's assessment from Dane Penrod, BA, CADAC III. Respondent was given an alcohol abuse and intermittent explosive disorder diagnosis.

12. On or around September 26, 2007, Respondent was charged in Marion County under cause number 49-G17-0709-CM-199111 with Battery, a Class A Misdemeanor.

13. On or around November 6, 2007, ISNAP sent Respondent a one (1) year ISNAP Recovery Monitoring Agreement ("RMA").

14. On or around November 15, 2007, Respondent pled guilty under cause number 49-G16-0707-CM-1348487 to Public Intoxication, a Class B Misdemeanor. The other charge was dismissed.

15. On or around December 8, 2007, Respondent's ISNAP file was closed due to Respondent's refusal to enter into a Recovery Monitoring Agreement.

16. On or around March 8, 2008, Respondent's criminal case for Battery under cause number 49-G17-0709-CM-199111 was dismissed due to Respondent completing a pre-trial diversion program.

17. On or around October 29, 2008, Respondent renewed her Indiana nursing license online and answered all questions, "NO," including question number three (3), which asks: "Since you last renewed, have you been convicted of or pled guilty to a violation of federal or state law or are criminal charges pending?"

#### **ULTIMATE FINDINGS OF FACT**

1. The Respondent's conduct violated Indiana Code § 25-1-9-4(a)(4)(D).

2. The Respondent's conduct violated Ind. Code § 25-1-9-4(a)(1)(A).
3. The Respondent's conduct violated Ind. Code § 25-1-9-4(a)(1)(A).
4. The Respondent's conduct violated Ind. Code § 25-1-9-4(a)(1)(A).

### CONCLUSION OF LAW

Respondent's violation is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, letter of reprimand, probation, suspension, revocation, and a fine up to the amount of \$1,000 per violation as detailed in Ind. Code § 25-1-9-9.

### ORDER

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

1. Respondent agrees that her Indiana nursing license shall be placed on **INDEFINITE PROBATION** subject to the following terms and conditions:
  - a. Respondent shall within thirty (30) days from the date of the Final Order enter into a RMA with ISNAP and follow all ISNAP recommendations.
  - b. Respondent shall remain in complete compliance with her ISNAP RMA during the length of her probation.
  - b. Prior to petitioning for withdrawal of probation, the Respondent shall pay to IPLA a **FINE** in the amount of **SEVEN HUNDRED FIFTY DOLLARS (\$750.00)**.
  - c. Prior to petitioning for withdrawal of probation, Respondent shall successfully complete her RMA with ISNAP.
2. Respondent further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of nursing, or 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 Ind. 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 12<sup>TH</sup> day of June, 2009.

INDIANA STATE BOARD OF NURSING

By:



Frances L. Kelly  
Executive Director  
Indiana Professional Licensing Agency

Copies to:

Kimberly Dawn Embry  
8640 Derby Court  
Indianapolis, IN 46229

**SENT CERTIFIED MAIL NO. 7002 0510 0002 5862 2862  
RETURN RECEIPT REQUESTED.**

Deputy Attorney General Laura E. Wilford  
**OFFICE OF THE INDIANA ATTORNEY GENERAL**  
Indiana Government Center South  
302 West Washington Street, Fifth Floor  
Indianapolis, IN 46204-2770

RECEIVED

MAY 11 2010

May 5, 2010

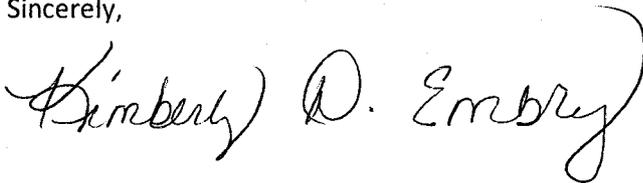
Indiana Professional  
Licensing Agency

Dear Sean Gorman and/or Lisa Chapin,

I have completed the ISNAP program and paid all required fines. I would like to have a personal appearance before the nursing board if possible, to discuss my probation.

I look forward to hearing from you. Please contact me at (317) 570-8651 or (317) 446-0330. I can also be reached at the address below.

Sincerely,



Kimberly D. Embry

8640 Derby Court

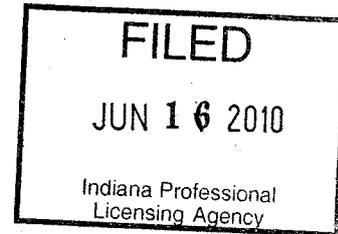
Indianapolis, IN. 46256

License number: 27038710A

Exhibit B

BEFORE THE INDIANA  
STATE BOARD OF NURSING  
CAUSE NUMBER: 2009 NB 174

IN THE MATTER OF THE LICENSE APPLICATION OF: )  
SUZANNE KLINKER (BALKAS) )  
LICENSE NUMBER: 28186948A )



HEARING NOTICE

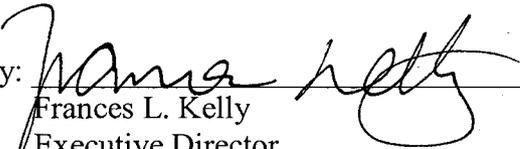
Comes now the Indiana State Board of Nursing ("Board") pursuant to I.C. § 4-21.5-3-20 and issues the following hearing notice:

1. This notice is being provided to Respondent, Suzanne Klinker (Balkas), R. N., 7933 Acre Lane, Brownsburg, Indiana, 46112.
2. This notice is being given to counsel for Petitioner, State of Indiana, Laura Wilford, Deputy Attorney General, Office of the Attorney General, Indiana Government Center South, 302 West Washington Street, 5th floor, Indianapolis, Indiana 46204, telephone number (317) 234-2600.
3. The official cause number of this action is 2009 NB 174.
4. This action is a hearing to determine whether the terms of probation on Respondent's R. N. license should be withdrawn.
5. A hearing regarding this matter will be held on **July 1, 2010 at 9:00 a.m.**, Eastern Standard Time, in the Indiana Government Center South, Conference Center Room 4, located at 402 West Washington Street, Indianapolis, Indiana, 46204.
6. The Board is empowered to hold this disciplinary hearing pursuant to the authority of IC 25-1-9 and IC 4-21.5-3 et seq.

7. Jerry Burghduff, L.P.N., will be presiding as administrative law judge in this matter. Sean Gorman, Director of the Board, may be contacted to obtain information concerning hearing schedules and procedures by mail in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204, by e-mail at [pla2@pla.in.gov](mailto:pla2@pla.in.gov), by facsimile at 317-233-4236, or by telephone at 317-234-2043.
8. The hearing will address the issues contained in the Request to Withdraw and the Decision on License Application filed August 26, 2009, and the petition to Withdraw probation submitted by the Respondent May 24, 2010 which are attached hereto and incorporated herein by reference as Exhibits A and B.
9. Any party may be advised and represented by counsel at the party's own expense.
10. A party who fails to attend or participate in a pre-hearing conference, hearing, or other later stage of this proceeding may be held in default or have the proceeding dismissed under section 24 of IC. 4-21.5-3.

ORDERED this 16 day of June 2010.

INDIANA STATE BOARD OF NURSING

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

Copies to:

Suzanne Klinker (Balkas), R.N.

7933 Acre Lane

Brownsburg, IN 46112

**CERTIFIED MAIL NUMBER: 91 7190 0005 2720 0001 1234**

**RETURN RECEIPT REQUESTED**

Laura Wilford, Deputy Attorney General

Office of the Attorney General

Indiana Government Center South

302 West Washington Street, 5<sup>th</sup> Floor

Indianapolis, Indiana 46204

BEFORE THE INDIANA STATE  
BOARD OF NURSING

IN THE MATTER OF THE LICENSE )  
APPLICATION OF: )  
 )  
SUZANNE KLINKER )



DECISION ON LICENSE APPLICATION

Suzanne Klinker ("Applicant") appeared before the Indiana State Board of Nursing ("Board") on August 20, 2009, in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana. She appeared to answer questions from the Board concerning her endorsement application for licensure as a nurse in Indiana.

After considering Ms. Applicant's statements and taking official notice of its file in this matter, the Board issues the following Decision:

BACKGROUND

1. Applicant's mailing address is 17928 65<sup>th</sup> Court, Tinley Park, Illinois 60477.
2. Applicant is licensed in California and Illinois and applied for licensure by endorsement in Indiana.
3. Along with her application, Applicant informed the Board that she had been arrested for domestic disturbance in 2005. She was also convicted of operating a vehicle while intoxicated in 2006. Her licenses in other states are active.
4. Applicant has demonstrated that she may practice nursing in Indiana with a probationary license.

TERMS AND CONDITIONS

Based upon the foregoing Information, the Board imposes the following Terms and Conditions on the Applicant's license:

1. The Applicant's license as a nurse will be issued on **INDEFINITE PROBATION**. Applicant may petition to have the probationary order withdrawn after six months compliance with a recovery monitoring agreement with the Indiana State Nurses Assistance Program ("ISNAP"), if she is a candidate for that

*Exhibit A*

program. If she is not a candidate for ISNAP, she may apply for withdrawal of probation after ISNAP determines she is not eligible.

2. The Applicant's practice of nursing shall be governed by the following **TERMS AND CONDITIONS:**

a) Applicant shall keep the Board informed in writing of her residential address and telephone number at all times.

b) Applicant shall keep the Board informed in writing of her nursing employer(s) name address and telephone number at all times.

c) Applicant must enter into a recovery monitoring agreement with the Indiana State Nurses Assistance Program ("ISNAP") if she is eligible and comply with the terms of that agreement.

d) Applicant shall not violate any laws regulating the practice of nursing.

3. The failure of Applicant to comply with the terms of this order may subject her to a show cause hearing and the imposition of further sanctions.

ORDERED, this 26 day of August 2009.

INDIANA STATE BOARD OF NURSING

By:

  
Frances L. Kelly  
Executive Director  
Indiana Professional Licensing Agency

## NOTICE OF RIGHT TO PETITION FOR REVIEW OF THIS DECISION

You may petition for review of this decision under IC 4-21.5-3-7. The petition must be filed with the Indiana State Board of Nursing in writing, identifying the reasons for review and demonstrating that you have been aggrieved or adversely affected by the Board's decision. The petition for review must be filed no later than eighteen days from the issuance of this decision unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours in which case the deadline would be the first day which is not a Saturday, a Sunday a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours.

If your petition for review is timely filed and review granted, you will receive notification of an administrative hearing. You or your representative must be present at that hearing. You have the right to be represented by an attorney at your own expense. A deputy attorney general may be present to represent the State of Indiana. As petitioner, you will have the burden of proving that the Board's decision is incorrect.

Copy to:

Suzanne Klinker  
17928 65<sup>th</sup> Court

Tinley Park, Illinois 60477

**CERTIFIED MAIL NUMBER: 7008 0150 0002 4417 4173**

**RETURN RECEIPT REQUESTED**

Professional Licensing Agency  
Attn: Indiana State Board of Nursing  
402 W. Washington Street, Room W072  
Indianapolis, Indiana 46204

Suzanne M. (Klinker) Balkas  
7933 Acre Lane  
Brownsburg, Indiana 46112

May 21, 2010

To Whom It May Concern:

I am requesting to remove probation off my nursing license. I have completed ISNAP with full compliance. Please inform me when I can petition.

Thank You,

*Suzanne M. Balkas*

Suzanne M. Klinker Balkas

RECEIVED

MAY 24 2010

Indiana Professional  
Licensing Agency

*Exhibit B*

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2005 NB 0132

STATE OF INDIANA, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 DAWN MICHELLE MARTIN, L.P.N., )  
 License Number: 27050192A, )  
 )  
 Respondent. )



**HEARING NOTICE**

Comes now the Indiana State Board of Nursing (“Board”) pursuant to I.C. 4-21.5-3-20 and issues the following hearing notice:

1. This notice is being provided to Respondent, Dawn Michelle Martin, 6450 South Sprague Road, Columbus, Indiana, 47201.
2. This notice is also being provided to counsel for the State of Indiana, Laura E. Wilford, Deputy Attorney General, Office of the Attorney General, Indiana Government Center South, 302 West Washington Street, 5<sup>th</sup> Floor, Indianapolis, Indiana, 46204, telephone number (317) 234-2600.
3. The official cause number of this action is 2005 NB 0132.
4. This action is a hearing to consider the Respondent’s Request to Reinstatement.
5. A hearing regarding this matter will be held on **July 1, 2010 at 9:00 a.m.**, Eastern Standard Time, in the Indiana Government Center South, Conference Room 4, located at 402 West Washington Street, Indianapolis, Indiana, 46204.

6. The Board is empowered to hold this administrative hearing pursuant to the authority of I.C. 25-1-9-9 and I.C. 4-21.5-3.

7. Jerry Burghduff, L.P.N., will be presiding as administrative law judge. Sean Gorman, Director of the Board, may be contacted to obtain information concerning hearing schedules and procedures by mail in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204, by e-mail at [pla2@pla.in.gov](mailto:pla2@pla.in.gov), by facsimile at 317-233-4236, or by telephone at (317) 234-2043.

8. The hearing will address the issues contained in the Request to Reinstate and the Order Denying Respondent's Petition For Reinstatement filed September 1, 2009 and the petition to reinstate submitted by Respondent June 17, 2010, copies of which are attached hereto and incorporated herein by reference as Exhibits A and B.

9. Any party may be advised and represented by counsel at the party's own expense.

10. A party who fails to attend or participate in a pre-hearing conference, hearing, or other later stage of this proceeding may be held in default or have the proceeding dismissed under section 24 of IC 4-21.5-3.

ORDERED, this 21 day of June, 2010.

INDIANA STATE BOARD OF NURSING

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

Copies to:

Dawn Martin  
6450 S. Sprague Rd.  
Columbus, IN 47201

**CERTIFIED MAIL NUMBER: 91 7190 0005 2720 0001 6161**  
**RETURN RECEIPT REQUESTED**

Laura E. Wilford, Deputy Attorney General  
Office of the Attorney General  
Indiana Government Center South  
302 West Washington Street, 5<sup>th</sup> Floor  
Indianapolis, Indiana 46204

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2005 NB 0132

STATE OF INDIANA, )  
)  
Petitioner, )  
)  
v. )  
)  
DAWN MICHELLE MARTIN, L.P.N. )  
LICENSE NO.: 27050192A, )  
)  
Respondent. )



**ORDER DENYING RESPONDENT'S PETITION FOR REINSTATEMENT**

The Indiana State Board of Nursing ("Board") held an administrative hearing on July 16, 2009 in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, concerning the Petition for Reinstatement filed on May 21, 2009 by Dawn Michelle Martin, L.P.N. ("Respondent").

Deputy Attorney General Laura E. Wilford represented the State of Indiana ("Petitioner"). The Respondent appeared in person and waived her right to counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 7-0-1 issues this Order Denying Respondent's Petition for Reinstatement, as supported by the following Findings of Fact, Ultimate Finding of Fact, and Conclusion of Law:

**FINDINGS OF FACT**

1. Respondent's address on file with the Indiana Professional Licensing Agency is 2005 Chestnut Street, Columbus, Indiana 47201 and she is a Licensed Practice Nurse holding Indiana license number 27050192A. Respondent received her Indiana nursing license in 2001 and it expired in 2008.

*Exhibit A*

2. On March 7, 2007, the Board issued a Final Order against Respondent placing her Indiana nursing license on Indefinite Suspension for a period of at least two (2) years after an Order to Show Cause hearing. The Board found that Respondent failed to comply with her Recovery Monitoring Agreement ("RMA") with the Indiana State Nurses Assistance Program ("ISNAP"). One of the conditions for reinstatement of Respondent's Indiana nursing license was that she has six (6) months compliance with an ISNAP RMA.

3. On or around May 21, 2009, Respondent filed a petition with the Board to have a hearing on her request to reinstate her Indiana nursing license.

4. During the July 16, 2009 reinstatement hearing, Respondent testified that she had a September 2007 Operating While Intoxicated conviction. Respondent then admitted evidence that from November of 2008 through May of 2009, she was a participant in a group home called House of Hope. Respondent testified that House of Hope is a faith based recovery program where she stayed for approximately six months completely away from all friends and family and focused solely on recovery. She testified that the recovery program was conducted by ministry who were recovering addicts but that she did not know if they had any credentialing. Respondent admitted that she did not complete the program but that was because she missed her children too much. When asked how she continues with her recovery program, Respondent testified that she goes to church, occasionally speaks to others from House of Hope and relies on her relationship with God. Respondent testified that she does not like AA and other programs because they believe you have to continually recovering while she believes that she is recovered.

5. During the July 16, 2009 board hearing, Chuck Lindquist, program director for ISNAP testified that Respondent has not contacted ISNAP since 2006 and that she was not a participant in the ISNAP program.

**ULTIMATE FINDING OF FACT**

Respondent failed to provide substantial evidence that she has complied with the condition of reinstatement requiring six (6) months compliance with an ISNAP RMA as stated in the March 7, 2007 Final Order issued by the Board.

**CONCLUSION OF LAW**

“The board may reinstate a license which has been suspended under this chapter if, after a hearing, the board is satisfied that the applicant is able to practice with reasonable skill and safety to the public,” Ind. Code § 25-1-9-11.

**ORDER**

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

1. Respondent’s petition to reinstate is hereby **DENIED**.
2. Respondent’s Indiana Nursing license continues upon **INDEFINITE SUSPENSION** with her March 7, 2007 Final Order still in effect.

ORDERED this 1st day of September 2009.

INDIANA STATE BOARD OF NURSING

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

Copies to:

Dawn Michelle Martin

2005 Chestnut Street

Columbus, Indiana 47201

**SENT CERTIFIED MAIL NO. 7008 1830 0003 8054 8278**

**RETURN RECEIPT REQUESTED.**

Deputy Attorney General Laura E. Wilford

OFFICE OF THE INDIANA ATTORNEY GENERAL

Indiana Government Center South

302 West Washington Street, Fifth Floor

Indianapolis, Indiana 46204-2770

**Chapman, Lisa**

---

**From:** Dawn Martin [dawnmartin47201@yahoo.com]  
**Sent:** Thursday, June 17, 2010 2:19 PM  
**To:** Chapman, Lisa  
**Subject:** Re: July agenda

Attention: Lisa Chapman,

Dawn Michelle Martin  
6450 S. Sprague Road  
Columbus, Indiana 47201  
Hm: 812-342-2994  
Cell: 812-371-0179  
Email: dawnmartin47201@yahoo.com

Please accept this documentation as my request for a hearing to Petition for Reinstatement of my Practical Nursing License # 27050192A.

Sincerely,  
Dawn Michelle Martin, L.P.N.

--- On Tue, 6/15/10, Chapman, Lisa <lchapman@pla.IN.gov> wrote:

From: Chapman, Lisa <lchapman@pla.IN.gov>  
Subject: July agenda  
To: dawnmartin47201@yahoo.com  
Date: Tuesday, June 15, 2010, 1:49 PM

*Ms Martin,*

*Can you send me a request to get your license reinstated I need it ASAP before I can send out your hearing notice you can send it via email. Thanks!*

**Lisa Chapman, Litigation Specialist**

**Indiana State Board of Nursing &**

**Dietitian Certification Board**

**402 W. Washington Street Room W072**

**Indianapolis, IN 46204**

**(317) 234-2043**

**(317) 233-4236 fax**

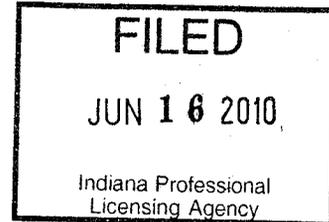
*Exhibit B*

BEFORE THE INDIANA  
STATE BOARD OF NURSING  
CAUSE NUMBER: 2009 NB 130

IN THE MATTER OF THE LICENSE OF: )

BRANDY JONES )

LICENSE NUMBER: 28186307A )



**HEARING NOTICE**

Comes now the Indiana State Board of Nursing ("Board") pursuant to I.C. § 4-21.5-3-20 and issues the following hearing notice:

1. This notice is being provided to Respondent, Brandy Jones, R. N., 1504 Robin Hood Drive, Seymour, Indiana, 47274.
2. This notice is being given to counsel for Petitioner, State of Indiana, Laura Wilford, Deputy Attorney General, Office of the Attorney General, Indiana Government Center South, 302 West Washington Street, 5th floor, Indianapolis, Indiana 46204, telephone number (317) 234-2600.
3. The official cause number of this action is 2009 NB 130.
4. This action is a hearing to determine whether the terms of probation on Respondent's R. N. license should be withdrawn.
5. A hearing regarding this matter will be held on **July 1, 2010 at 9:00 a.m.**, Eastern Standard Time, in the Indiana Government Center South, Conference Center Room 4, located at 402 West Washington Street, Indianapolis, Indiana, 46204.
6. The Board is empowered to hold this disciplinary hearing pursuant to the authority of IC 25-1-9 and IC 4-21.5-3 et seq.

7. Jerry Burghduff, L.P.N., will be presiding as administrative law judge in this matter. Sean Gorman, Director of the Board, may be contacted to obtain information concerning hearing schedules and procedures by mail in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204, by e-mail at [pla2@pla.in.gov](mailto:pla2@pla.in.gov), by facsimile at 317-233-4236, or by telephone at 317-234-2043.
8. The hearing will address the issues contained in the Request to Withdraw and the Decision on License Application filed July 2, 2009, and the petition to Withdraw probation submitted by the Respondent June 9, 2010 which are attached hereto and incorporated herein by reference as Exhibits A and B.
9. Any party may be advised and represented by counsel at the party's own expense.
10. A party who fails to attend or participate in a pre-hearing conference, hearing, or other later stage of this proceeding may be held in default or have the proceeding dismissed under section 24 of IC 4-21.5-3.

ORDERED this 16 day of June 2010.

INDIANA STATE BOARD OF NURSING

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

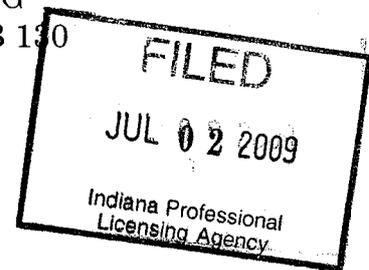
Copies to:

Brandy Jones, R.N.  
1504 Robin Hood Dr.  
Seymour, IN 47274

**CERTIFIED MAIL NUMBER: 91 7190 0005 2720 0001 5584**  
**RETURN RECEIPT REQUESTED**

Laura Wilford, Deputy Attorney General  
Office of the Attorney General  
Indiana Government Center South  
302 West Washington Street, 5<sup>th</sup> Floor  
Indianapolis, Indiana 46204

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NO. 2009 NB 130



IN THE MATTER OF THE LICENSE APPLICATION OF:  
  
BRANDY JONES

**DECISION ON LICENSE APPLICATION**

Brandy Jones ("Applicant") appeared before the Indiana State Board of Nursing ("Board") on June 18, 2009, in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana. She appeared to answer questions from the Board concerning her application for licensure as a registered nurse.

After considering Applicant's statements and taking official notice of its file in this matter, the Board issues the following Decision:

**BACKGROUND**

1. Applicant's mailing address is 1504 Robin Hood Drive, Seymour, Indiana 47274.
2. Applicant applied for her license as a registered nurse in May 2009.
3. Along with her application, Applicant informed the Board that she had been arrested on three occasions for consumption of alcohol by a minor (twice in 2007 and once in 2008) and that she had been convicted for driving while intoxicated in 2009.
4. Applicant has demonstrated that she may practice nursing in Indiana with a probationary license.

**TERMS AND CONDITIONS**

Based upon the foregoing Information, the Board imposes the following Terms and Conditions on the Applicant's license:

1. The Applicant's license will be issued on INDEFINITE PROBATION *after* she passes the qualifying examination. Applicant may petition to have the probationary order withdrawn after successful completion of her recovery monitoring agreement with the Indiana State

1 Exhibit A

Nurses Assistance Program ("ISNAP"), if she is a candidate for that program. If she is not a candidate for that program, she may apply for withdrawal of probation after that determination is made.

2. The Applicant's practice of nursing shall be governed by the following TERMS AND CONDITIONS:

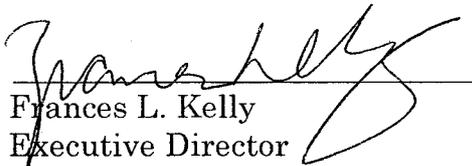
- a) Applicant shall keep the Board informed in writing of her residential address and telephone number at all times.
- b) Applicant shall keep the Board informed in writing of her nursing employer(s) name, address and telephone number at all times.
- c) Applicant must immediately contact ISNAP. If she is a candidate for that program, she must enter into a recovery monitoring agreement and comply with its terms.
- d) Applicant shall not violate any laws regulating the practice of nursing.

3. The failure of Applicant to comply with the terms of this order may subject her to a show cause hearing and the imposition of further sanctions.

SO ORDERED, this 02 day of July 2009.

INDIANA STATE BOARD OF NURSING

By:



Frances L. Kelly  
Executive Director

Indiana Professional Licensing Agency

## NOTICE OF RIGHT TO PETITION FOR REVIEW OF THIS DECISION

You may petition for review of this decision under IC 4-21.5-3-7. The petition must be filed with the Indiana State Board of Nursing in writing, identifying the reasons for review and demonstrating that you have been aggrieved or adversely affected by the Board's decision. The petition for review must be filed no later than eighteen days from the issuance of this decision unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours in which case the deadline would be the first day which is not a Saturday, a Sunday a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours.

If your petition for review is timely filed and review granted, you will receive notification of an administrative hearing. You or your representative must be present at that hearing. You have the right to be represented by an attorney at your own expense. A deputy attorney general may be present to represent the State of Indiana. As petitioner, you will have the burden of proving that the Board's decision is incorrect.

Copy to:

Brandy Jones  
1504 Robin Hood Drive  
Seymour, Indiana 47274  
**CERTIFIED MAIL NUMBER: 7002 0510 0002 5862 2497**  
**RETURN RECEIPT REQUESTED**

635684

## Chapman, Lisa

---

**From:** Brandy Jones [bjones190@ivytech.edu]  
**Sent:** Wednesday, June 09, 2010 9:10 PM  
**To:** Chapman, Lisa  
**Subject:** RE: Board meeting request. Attn: Lori Grace

Lisa,

So, there are two different types of meetings now? If you would, please let me know if I am put on the list. I would hope that I could still attend the meeting on July 1st, and they rule that once they receive confirmation of my successful completion with ISNAP, my license be placed as active. This would essentially be the same as if it was on July 15th because more than likely it would take a few days after that date for ISNAP to submit my paperwork.

Thank-you,

Brandy Jones

Quoting "Chapman, Lisa" <[lchapman@pla.IN.gov](mailto:lchapman@pla.IN.gov)>:

> Brandy,  
> They are doing the meetings different now the probation and  
> reinstatements are before the actual meeting I will ask if you can  
> come b/c it will be on the 1st of July and I know you won't complete  
> ISNAP until the 15th or so.

>  
> Lisa Chapman, Litigation Specialist  
> Indiana State Board of Nursing &  
> Dietitian Certification Board  
> 402 W. Washington Street Room W072  
> Indianapolis, IN 46204  
> (317) 234-2043  
> (317) 233-4236 fax

>  
> From: Brandy Jones [<mailto:bjones190@ivytech.edu>]  
> Sent: Wednesday, June 09, 2010 1:22 PM  
> To: Chapman, Lisa  
> Subject: RE: Board meeting request. Attn: Lori Grace

>  
>  
> Hello,

>  
> My name is Brandy Jones. I would like to request to meet with the  
> boards to remove my proabtionary status from my nursing license on  
> July 15th, 2010.

>  
> License #: 28186307A

Exhibit B

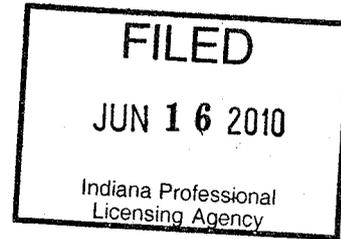
**BEFORE THE INDIANA  
STATE BOARD OF NURSING  
CAUSE NUMBER: 2009 NB 192**

**IN THE MATTER OF THE LICENSE OF:**

**LIESEL DELAMATER**

**LICENSE NUMBER: 28170795A**

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)  
)  
)  
)



**HEARING NOTICE**

Comes now the Indiana State Board of Nursing (“Board”) pursuant to I.C. § 4-21.5-3-20 and issues the following hearing notice:

1. This notice is being provided to Respondent, Liesel Delamater, R. N., 8706 Buffett Parkway, Fishers, Indiana, 46038.
2. This notice is being given to counsel for Petitioner, State of Indiana, Laura Wilford, Deputy Attorney General, Office of the Attorney General, Indiana Government Center South, 302 West Washington Street, 5th floor, Indianapolis, Indiana 46204, telephone number (317) 234-2600.
3. The official cause number of this action is 2009 NB 192.
4. This action is a hearing to determine whether the terms of probation on Respondent’s R. N. license should be withdrawn.
5. A hearing regarding this matter will be held on **July 1, 2010 at 9:00 a.m.**, Eastern Standard Time, in the Indiana Government Center South, Conference Center Room 4, located at 402 West Washington Street, Indianapolis, Indiana, 46204.
6. The Board is empowered to hold this disciplinary hearing pursuant to the authority of IC 25-1-9 and IC 4-21.5-3 et seq.

7. Jerry Burghduff, L.P.N., will be presiding as administrative law judge in this matter. Sean Gorman, Director of the Board, may be contacted to obtain information concerning hearing schedules and procedures by mail in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204, by e-mail at [pla2@pla.in.gov](mailto:pla2@pla.in.gov), by facsimile at 317-233-4236, or by telephone at 317-234-2043.
8. The hearing will address the issues contained in the Request to Withdraw and the Decision on Application to Renew License filed September 30, 2009, and the petition to Withdraw probation submitted by the Respondent May 8, 2010 which are attached hereto and incorporated herein by reference as Exhibits A and B.
9. Any party may be advised and represented by counsel at the party's own expense.
10. A party who fails to attend or participate in a pre-hearing conference, hearing, or other later stage of this proceeding may be held in default or have the proceeding dismissed under section 24 of IC 4-21.5-3.

ORDERED this 16 day of June 2010.

INDIANA STATE BOARD OF NURSING

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

Copies to:

Liesel Delamater, R.N.  
8706 Buffett Pkwy  
Fishers, IN 46038

**CERTIFIED MAIL NUMBER: 91 7190 0005 2720 0001 5621**  
**RETURN RECEIPT REQUESTED**

Laura Wilford, Deputy Attorney General  
Office of the Attorney General  
Indiana Government Center South  
302 West Washington Street, 5<sup>th</sup> Floor  
Indianapolis, Indiana 46204

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NO: 2009 NB 192

IN THE MATTER OF THE APPLICATION )  
TO RENEW THE LICENSE OF: )  
LIESEL DELAMATER )  
LICENSE NO: 28170795A )



**DECISION ON APPLICATION TO RENEW LICENSE**

The Indiana State Board of Nursing (“Board”) requested that Liesel Delamater (“Applicant”) personally appear before Jerry Burghduff, a member of the Board, on September 16, 2009, for the purpose of providing information and answering questions concerning her application to renew her license as a nurse.

The Applicant appeared in person.

Burghduff interviewed the Applicant and made a recommendation concerning the application to the full Board when it met on September 17, 2009. The Board, after considering the information presented by the Applicant and reviewing its file in this matter, hereby issues the following decision:

**FACTS**

1. The Applicant, who resides at 8706 Buffett Parkway, Fishers, Indiana 46038, submitted an application to the Board to renew her license as a nurse.
2. Along with her application, the Applicant revealed that she was convicted of operating a vehicle while intoxicated in April 2009. She is currently on criminal probation as a result of that conviction.
3. The Applicant has attended alcohol classes and a victim impact panel as part of her probation.
4. During the personal appearance the Applicant exhibited remorse for what had happened.
5. The Applicant has demonstrated to the Board that she is able to practice with reasonable skill and safety to the public provided she complies with the probationary terms set out below.

*Exhibit A*

6. The Applicant is in agreement with the Board that her license be renewed and that the license be placed on probationary status.

### TERMS AND CONDITIONS

Based upon the foregoing, the Board renews the license of the Applicant pursuant to IC § 25-1-5-4(g)(5) as follows:

1. The Applicant's license as a nurse is renewed on **INDEFINITE PROBATION**. The Applicant may petition to have the probationary order withdrawn after completion of her recovery monitoring agreement with the Indiana State Nurses Assistance Program ("ISNAP") if she is a candidate for that program or after the successful completion of her criminal probation, whichever period of time is longer. If she is not eligible for ISNAP, she may apply for withdrawal of probation after documenting that she is not eligible and after the successful completion of her criminal probation.

2. The Applicant's practice as a nurse shall be governed by the following **TERMS AND CONDITIONS**:

a) The Applicant must keep the Board apprised of the following information in writing and update it as necessary:

1. Applicant's current home address, mailing address, e-mail address and residential telephone number.
2. Applicant's place of employment, employment telephone number, employment e-mail address and name of supervisor.

b) The Applicant shall provide a copy of all Board orders imposing discipline or limiting practice to any nursing employer who shall sign and return a copy of such orders to the Board within seven (7) days of employment or receipt of this order.

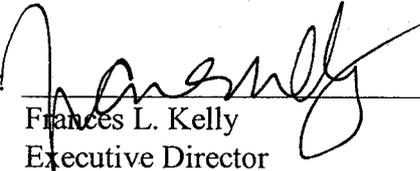
c) Applicant must immediately contact ISNAP and sign a recovery monitoring agreement with that organization if she is deemed eligible. If she enters into an agreement with ISNAP she must comply with its terms.

d) The Applicant shall comply with all statutes and rules regulating the practice of nursing and report any future arrests to the Board.

3. The failure of the Applicant to comply with the terms of this decision may subject her to a show cause hearing and the imposition of further sanctions, including emergency suspension of her license.

ORDERED this 30 day of September, 2009.

INDIANA STATE BOARD OF NURSING

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

**NOTICE OF RIGHT TO PETITION FOR REVIEW OF THIS DECISION**

You may petition for review of this decision under IC 4-21.5-3-7. The petition must be filed with the Indiana State Board of Nursing in writing, identifying the reasons for review and demonstrating that you have been aggrieved or adversely affected by the Board's decision. The petition for review must be filed no later than eighteen days from the issuance of this decision unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day the Indiana Professional Licensing Agency's offices are closed during regular business hours in which case the deadline would be the first day which is not a Saturday, a Sunday, a legal holiday under state statute or a day the Indiana Professional Licensing Agency's offices are closed during regular business hours.

If your petition for review is timely filed and review granted, you will receive notification of an administrative hearing. You or your representative must be present at that hearing. You have the right to be represented by an attorney at your own expense. A deputy attorney general may be present to represent the state of Indiana. As petitioner, you will have the burden of proving that the Board's decision is incorrect.

Copies to:

Liesel Delamater  
8706 Buffett Parkway  
Fishers, Indiana 46038

**CERTIFIED MAIL NUMBER: 7008 0150 0002 4419 4423**  
**RETURN RECEIPT REQUESTED**

**To:** Group 02  
**Subject:** ISNAP Completion

Liesel Delamater

8706 Buffett Parkway

Fishers, IN 46038

(c)765-969-2420

(h)317-841-1981

Indiana Professional Licensing Agency, Attn: Nursing Board  
402 W. Washington St. Room W072  
Indianapolis IN 46204

To whom it may concern:

In September of 2009 I met with a member of the board due to a positive response on my license renewal application. As a result I was instructed to contact ISNAP and complete their recommended recovery program. I am writing this letter to inform the board of my completion of the ISNAP recovery program, and I have fulfilled my criminal probation for Hamilton County. Since I have completed both, I would like to petition to get the probation status removed from my license. Please let me know what steps I need to take to accomplish this goal. Thank you for your time.

Sincerely,

Liesel Delamater

Exhibit B

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2009 NB 033

IN THE MATTER OF THE LICENSE OF:

LAURA LEONA BOYD, R.N.,

LICENSE NUMBER: 28093759A

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)  
)  
)  
)



**HEARING NOTICE**

Comes now the Indiana State Board of Nursing ("Board") pursuant to I.C. 4-21.5-3-20 and issues the following hearing notice:

1. This notice is being provided to Respondent, Laura Leona Boyd, R. N., 2081 South County Road 650 East, Winslow, Indiana, 47598.
2. This notice is also being provided to counsel for the State of Indiana, Laura E. Wilford, Deputy Attorney General, Office of the Attorney General, Indiana Government Center South, 302 West Washington Street, 5<sup>th</sup> Floor, Indianapolis, Indiana, 46204, telephone number (317) 234-2600.
3. The official cause number of this action is 2009 NB 033.
4. This action is a hearing to consider the Respondent's Request to Reinstatement.
5. A hearing regarding this matter will be held on **July 1, 2010 at 9:00 a.m.**, Eastern Standard Time, in the Indiana Government Center South, Conference Center Room 4, located at 402 West Washington Street, Indianapolis, Indiana, 46204.
6. The Board is empowered to hold this administrative hearing pursuant to the authority of I.C. 25-1-9-9 and I.C. 4-21.5-3.

7. Jerry Burghduff, L.P.N., will be presiding as administrative law judge. Sean Gorman, Director of the Board, may be contacted to obtain information concerning hearing schedules and procedures by mail in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204, by e-mail at [pla2@pla.in.gov](mailto:pla2@pla.in.gov), by facsimile at 317-233-4236, or by telephone at (317) 234-2043.

8. The hearing will address the issues contained in the Request to Reinstate and the Findings of Fact, Conclusion of Law and Order filed April 16, 2009 and the petition to reinstate submitted by the Respondent June 10, 2010, copies which are attached hereto and incorporated herein by reference as Exhibits A and B.

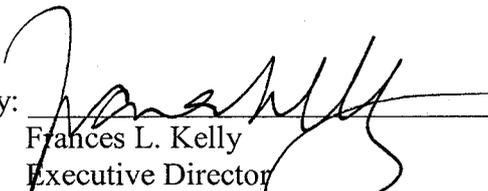
9. Any party may be advised and represented by counsel at the party's own expense.

10. A party who fails to attend or participate in a pre-hearing conference, hearing, or other later stage of this proceeding may be held in default or have the proceeding dismissed under section 24 of IC 4-21.5-3.

ORDERED, this 16 day of June, 2010.

INDIANA STATE BOARD OF NURSING

By: \_\_\_\_\_

  
Frances L. Kelly  
Executive Director  
Indiana Professional Licensing Agency

Copies to:

Laura Leona Boyd, R. N.  
2081 S. County Rd. 650 E.  
Winslow, IN 47598

**CERTIFIED MAIL NUMBER: 91 7190 0005 2720 0001 5614**  
**RETURN RECEIPT REQUESTED**

Laura E. Wilford, Deputy Attorney General  
Office of the Attorney General  
302 West Washington Street, 5<sup>th</sup> Floor  
Indianapolis, Indiana 46204



3. On or around October 7, 2007, Respondent submitted to a urine drug screen as part of an investigation into missing hydrocodone elixir from Beverly. All staff who had access to the medication cart keys were drug tested.

4. On or around October 23, 2007, Respondent's employment with Beverly was terminated. Respondent's urine drug screen showed a positive result for propoxyphene, hydrocodone, and hydromorphone. Respondent only provided a prescription for Xanax and Lortab. Respondent stated that her husband takes Darvocet and she must have taken one of his by mistake. Beverly could not determine who took the missing hydrocodone elixir as other nurses also had positive urine drug screens.

5. On or around October 5, 2007, Respondent renewed her Indiana nursing license online and answered all questions, "NO," including question number five (5), which asks: "Since you last renewed, have you ever been terminated, reprimanded, disciplined, or demoted in the scope of your practice as a Nurse or as another health care professional?"

6. On or around October 30, 2007, Respondent began employment at Good Samaritan Home and Rehabilitation ("Good Samaritan").

7. On or around December 12, 2007, Respondent contacted the Indiana State Nurses Assistance Program ("ISNAP") due to her positive urine drug screen from Beverly.

8. On or around December 19, 2007, ISNAP received Respondent's assessment from Donna Lilly, LCSW. Lilly gave Respondent an opiate dependence, history of methamphetamine abuse, rule-out sedative abuse, and depressive disorder (not otherwise specified) diagnosis.

9. On or around December 21, 2007, Good Samaritan terminated Respondent's employment as they could not accommodate the narcotic restrictions established by ISNAP.

10. On or around January 3, 2008, Respondent entered into a three (3) year Recovery Monitoring Agreement with ISNAP.

11. On or around January 21, 2008, ISNAP was informed by Respondent's therapist that Respondent had been referred to do the three (3) day a week/ ten (10) week Matrix Program through Stepping Stones.

12. On or around January 28, 2008, ISNAP received a report showing Respondent's January 14, 2008 urine drug screen to be diluted with a creatinine of 0.11.

13. On or around February 19, 2008, Respondent informed ISNAP that she had relapsed on alcohol. Respondent was referred to Dr. James Macke, M.D.

14. On or around April 7, 2008, Respondent informed ISNAP that she was discontinuing the Matrix Program due to family issues.

15. On or around April 17, 2008, ISNAP's quarterly compliance report showed Respondent in partial compliance.

16. On or around April 21, 2008, Stepping Stones informed ISNAP that they discontinued services for Respondent and were recommending residential treatment since Respondent admitted to a relapse on Lortab and alcohol on April 13, 2008. Respondent was referred to Dr. Macke.

17. On or around May 1, 2008, ISNAP received a report showing Respondent's urine drug screen from April 24, 2008 was positive for Tramadol. Respondent admitted to taking her husband's Tramadol for tooth pain.

18. On or around May 9, 2008, Dr. Macke informed ISNAP that based on his recent re-assessment of Respondent he recommended that she have a few negative urine drug screens before she return to work as a nurse.

19. On or around June 9, 2008, ISNAP closed Respondent's file as she failed to keep contact with ISNAP or engage in residential treatment.

### CONCLUSION OF LAW

1. Respondent's conduct violated Indiana Code § 25-1-9-4(a)(4)(D).
2. Respondent's conduct violated Ind. Code § 25-1-9-4(a)(1)(A).
3. Respondent's conduct is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, letter of reprimand, probation, suspension, revocation, and a fine up to the amount of \$1,000 per violation as detailed in Ind. Code § 25-1-9-9.

### ORDER

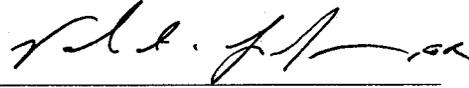
Based upon the above Findings of Fact, the Board issues the following Order:

1. Respondent's Indiana nursing license is hereby placed on **INDEFINITE SUSPENSION**.
2. Prior to petitioning for reinstatement, Respondent shall have six (6) months compliance with an ISNAP Recovery Monitoring Agreement.
3. Prior to petitioning for reinstatement, Respondent shall pay a **FINE** in the amount of **FIVE HUNDRED DOLLARS (\$500)** payable to the Indiana Professional Licensing Agency.
4. Respondent further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of nursing, or 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 Ind. 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 16<sup>th</sup> day of April, 2009.

INDIANA STATE BOARD OF NURSING

By:



Frances L. Kelly  
Executive Director  
Indiana Professional Licensing Agency

Copies to:

Laura Leona Boyd, R.N.  
2081 South County Road 650 East  
Winslow, Indiana 47598  
**SENT CERTIFIED MAIL NO. 7008 1830 0001 4328 0346**  
**RETURN RECEIPT REQUESTED.**

Deputy Attorney General Laura E. Wilford  
OFFICE OF THE INDIANA ATTORNEY GENERAL  
Indiana Government Center South  
302 West Washington Street, Fifth Floor  
Indianapolis, IN 46204-2770

R.N. License No. 28093759 A

FPLA

6-8-2010

My full name is Laura  
Leona Boyd I am petitioning  
to have my RN License -  
re-instated. I have been  
in Full Compliance with my  
regulations with ISNAP

Since ~~DECEMBER~~ 19 2009. With your  
permission I would like to

appear before the Nursing  
Board on July 15th. Also -

enclosed is a Money-Order  
for Neg. Fine for \$500.00 -

Exhibit B

Thank you  
Laura Leona Boyd

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2008 NB 125

IN THE MATTER OF THE LICENSE APPLICATION OF:  
ALICIA MARIE BERG  
LICENSE NUMBER: 27062317A



HEARING NOTICE

Comes now the Indiana State Board of Nursing ("Board") pursuant to I.C. 4-21.5-3-20 and issues the following hearing notice:

1. This notice is being provided to Respondent, Alicia Marie Berg, R. N., 12845 Terrace Lane, Crestwood, Illinois, 60445.
2. This notice is also being provided to counsel for the State of Indiana, Laura E. Wilford, Deputy Attorney General, Office of the Attorney General, Indiana Government Center South, 302 West Washington Street, 5<sup>th</sup> Floor, Indianapolis, Indiana, 46204, telephone number (317) 234-2600.
3. The official cause number of this action is 2008 NB 125.
4. This action is a hearing to consider the Respondent's Request to Reinstate.
5. A hearing regarding this matter will be held on **July 1, 2010 at 9:00 a.m.**, Eastern Standard Time, in the Indiana Government Center South, Conference Center Room 4, located at 402 West Washington Street, Indianapolis, Indiana, 46204.
6. The Board is empowered to hold this administrative hearing pursuant to the authority of I.C. 25-1-9-9 and I.C. 4-21.5-3.

7. Jerry Burghduff, L.P.N., will be presiding as administrative law judge. Sean Gorman, Director of the Board, may be contacted to obtain information concerning hearing schedules and procedures by mail in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204, by e-mail at [pla2@pla.in.gov](mailto:pla2@pla.in.gov), by facsimile at 317-233-4236, or by telephone at (317) 234-2043.

8. The hearing will address the issues contained in the Request to Reinstate and the Findings of Fact and Order filed February 8, 2010 and the petition to reinstate submitted by the Respondent April 26, 2010, copies which are attached hereto and incorporated herein by reference as Exhibits A and B.

9. Any party may be advised and represented by counsel at the party's own expense.

10. A party who fails to attend or participate in a pre-hearing conference, hearing, or other later stage of this proceeding may be held in default or have the proceeding dismissed under section 24 of IC 4-21.5-3.

ORDERED, this 21 day of June, 2010.

INDIANA STATE BOARD OF NURSING

By: \_\_\_\_\_

  
Frances L. Kelly  
Executive Director  
Indiana Professional Licensing Agency

Copies to:

Alicia M. Berg, L.P.N.

12845 Terrace Lane

Crestwood, IL 60445

**CERTIFIED MAIL NUMBER: 91 7190 0005 2720 0001 6178**

**RETURN RECEIPT REQUESTED**

Laura E. Wilford, Deputy Attorney General

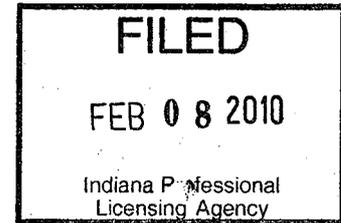
Office of the Attorney General

302 West Washington Street, 5<sup>th</sup> Floor

Indianapolis, Indiana 46204

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2008 NB 125

IN THE MATTER OF THE LICENSE APPLICATION OF )  
ALICIA MARIE BERG, L.P.N. )  
LICENSE NO: 27062317A )



**FINDINGS OF FACT AND ORDER**

The Indiana State Board of Nursing ("Board"), held an administrative hearing on January 21, 2010 in the Auditorium of the Conference Center, Indiana Government Center South 302 West Washington Street, Indianapolis, Indiana, 46204 concerning the Order to Show Cause filed by the Board against the Indiana nursing license of Alicia Marie Berg, L.P.N. ("Respondent") on December 17, 2009.

The State of Indiana ("Petitioner") was represented by the Office of the Indiana Attorney General, by Deputy Attorney General Darren R. Covington. Respondent appeared in person and chose to proceed without counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 7-0-0, issues the following Findings of Fact and Order:

**FINDINGS OF FACT**

1. Respondent's address on file with the Indiana Professional Licensing Agency is 12845 Terrace Lane, Midlothian, Illinois 60445 and she is a Licensed Practical Nurse in the State of Indiana having been issued license number 27062317A in 2008.

2. On September 18, 2008, Respondent made a personal appearance before the Board concerning her application for licensure as a practical nurse after Respondent disclosed that she was arrested in Illinois in March 2008 for Driving Under the Influence, pled guilty to that charge and is on criminal probation until August 2010.

11. On or around November 15, 2009, ISNAP's quarterly compliance report showed Respondent in significant non-compliance.

12. On or around December 17, 2009, the Board issued an Order to Show Cause based upon Respondent's non-compliance with her RMA in ISNAP.

13. During the January 21, 2010 Order to Show Cause hearing before the Board, Respondent testified that during her first year in ISNAP she failed to see an addictionologist, a therapist, a sponsor and failed to attend any AA/NA meetings. Respondent testified that she only missed one urine drug screen and did not have any positive urine drug screens. Respondent testified that she now realizes she must do more than submit random urine drug screens and has begun seeing a sponsor, therapist and addictionologist, and is attending AA/NA meetings. Respondent testified that she has not used any alcohol or controlled substances since being placed on probation. Finally, Respondent testified that her employment has been terminated from two places since being placed on probation. Her employment was terminated from Highland Nursing and Rehabilitation Center in Highland, Indiana after she "lost her temper" and her employment was terminated from Golden Living Center in Merrillville, Indiana because she documented completing a treatment prior to completing it.

#### **ULTIMATE FINDINGS OF FACT**

1. Respondent's conduct constitutes a violation of Ind. Code §25-1-9-4(a)(10) in that Respondent has failed to comply with an order imposing sanction under section 9 of this chapter.

#### **CONCLUSION OF LAW**

1. Respondent's violation is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter or reprimand, probation, suspension, revocation and/or a fine up to the amount of \$1,000 per violation as detailed in Ind. Code §25-1-9-9.

Copies to:

Alicia Marie Berg,  
12845 Terrance Lane  
Midlothian, IL 60445

**SENT CERTIFIED MAIL NO. 7008 1830 0001 4328 9547**  
**RETURN RECEIPT REQUESTED.**

Darren R. Covington, Deputy Attorney General  
OFFICE OF THE INDIANA ATTORNEY GENERAL  
Indiana Government Center South  
302 West Washington Street, Fifth Floor  
Indianapolis, IN 46204

Alicia M. Berg  
12845 Terrace Lane  
Crestwood, IL 60445  
April 26, 2010

**Professional Licensing Agency**  
Attn: Indiana State Board of Nursing  
Lisa Chapman, Litigation Specialist  
402 W. Washington Street, Room W072  
Indianapolis, Indiana 46204

Dear Ms. Chapman

I am writing to request a formal hearing on May 20<sup>th</sup> before the Indiana State Board of Nursing to remove the suspension on my nursing license and return to probationary status.

During the hearing dated January 21, 2010 the board specified that the suspension would be 3 months, pending compliance with ISNAP for that period of time. During this period, I have attended the required AA meetings pursuant to my RMA, have made an appointment with the Addictionologist specified in the RMA, attended further IOP and aftercare through a community outreach program in my area.

I am requesting this change to pursue employment, which I desperately require to further my recovery and to secure my future in a positive direction.

Thank you for your consideration in this matter.

Respectfully,



Alicia M. Berg

**BEFORE THE INDIANA  
STATE BOARD OF NURSING  
CAUSE NUMBER: 2007 NB 0025**

**STATE OF INDIANA** )  
 )  
 **Petitioner,** )  
 )  
 **v.** )  
 )  
 **KEVIN MICHAEL PRICE, R. N.,** )  
 **License Number: 28172210A,** )  
 )  
 **Respondent.** )



**HEARING NOTICE**

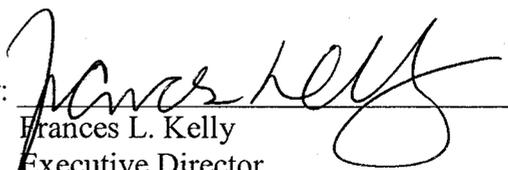
Comes now the Indiana State Board of Nursing (“Board”) pursuant to I.C. § 4-21.5-3-20 and issues the following hearing notice:

1. This notice is being provided to Respondent, Kevin Michael Price, R. N., 25861 Beecham Road, Farmington Hills, Michigan 48336 .
2. This notice is being given to counsel for Petitioner, State of Indiana, Laura Wilford, Deputy Attorney General, Office of the Attorney General, Indiana Government Center South, 302 West Washington Street, 5th floor, Indianapolis, Indiana 46204, telephone number (317) 234-2600.
3. The official cause number of this action is 2007 NB 0025.
4. This action is a hearing to determine whether the terms of probation on Respondent’s license should be withdrawn.
5. A hearing regarding this matter will be held on **July 1, 2010 at 9:00 a.m.**, Eastern Standard Time, in the Indiana Government Center South, Conference Center Room 4, located at 402 West Washington Street, Indianapolis, Indiana, 46204.

6. The Board is empowered to hold this disciplinary hearing pursuant to the authority of I.C. 25-1-9 and I.C. 4-21.5-3 et seq.
7. Jerry Burghduff, L.P.N., will be presiding as administrative law judge in this matter. Sean Gorman, Director of the Board, may be contacted to obtain information concerning hearing schedules and procedures by mail in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204, by e-mail at [pla2@pla.in.gov](mailto:pla2@pla.in.gov), by facsimile at 317-233-4236, or by telephone at 317-234-2043.
8. The hearing will address the issues contained in the Request to Withdraw and the Order Denying Respondent's Petition For Withdrawal of Probation and Modifying Probation filed May 24, 2010, and the petition to Withdraw Probation submitted by the Respondent April 28, 2010 which are attached hereto and incorporated herein by reference as Exhibits A and B.
9. Any party may be advised and represented by counsel at the party's own expense.
10. A party who fails to attend or participate in a pre-hearing conference, hearing, or other later stage of this proceeding may be held in default or have the proceeding dismissed under section 24 of IC 4-21.5-3.

ORDERED 21 day of June, 2010.

INDIANA STATE BOARD OF NURSING

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

Copies to:

Kevin Price, R.N.

25861 Beecham Road

Farmington Hills, MI 48336

**CERTIFIED MAIL NUMBER: 91 7190 0005 2720 0001 6215**

**RETURN RECEIPT REQUESTED**

Laura Wilford, Deputy Attorney General

Office of the Attorney General

Indiana Government Center South

302 West Washington Street, 5<sup>th</sup> Floor

Indianapolis, Indiana 46204

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2007 NB 0025

STATE OF INDIANA, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 KEVIN MICHAEL PRICE, R.N. )  
 LICENSE NO.: 28172210A, )  
 )  
 Respondent. )



**ORDER DENYING RESPONDENT'S PETITION FOR WITHDRAWAL OF  
PROBATION AND MODIFYING PROBATION**

The Indiana State Board of Nursing ("Board") held an administrative hearing on March 18, 2010, in the Auditorium of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, concerning the Petition for Withdrawal of Probation filed by Kevin Michael Price, R.N. ("Respondent").

Deputy Attorney General Thomas P. McGee represented the State of Indiana ("Petitioner"). The Respondent appeared in person and waived his right to 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 issues this Order Denying Respondent's Petition for Withdrawal of Probation and modifies Respondent's probation as supported by the following Findings of Fact, Ultimate Finding of Fact, and Conclusion of Law:

**FINDINGS OF FACT**

1. Respondent's license was originally suspended in June 2007 because of his failed attempts to be monitored by the Michigan Health Professional Recovery Program.

EXHIBIT A

**CONCLUSION OF LAW**

“The board may reinstate a license which has been suspended under this chapter if, after a hearing, the board is satisfied that the applicant is able to practice with reasonable skill and safety to the public.” Ind. Code § 25-1-9-9-(b).

**ORDER**

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

1. Respondent’s petition to withdraw probation is hereby **DENIED**.
2. Respondent’s probation is hereby modified so that the Respondent must undergo the Minnesota Multiphasic Personality Inventory -2 (“MMPI-2”) and provide the results to the Board before he can seek to withdraw the probation from his license.
3. Respondent’s Indiana Nursing license continues upon **INDEFINITE PROBATION with all other terms and conditions remaining in effect.**

**SO ORDERED** this 24 day of May, 2010.

INDIANA STATE BOARD OF NURSING

By: \_\_\_\_\_

  
Frances L. Kelly  
Executive Director  
Indiana Professional Licensing Agency

TO: Indiana Nursing Board

A#N: Lis A

From: Kevin Price, RN

License #: 2817221A

My phone #: 734-223-5230

My address #: 25861 Beecham RD  
Farmington Hills, MI 48336

Email: kp5133@yahoo.com

Date: 4-28-10

As requested by the board, during the March 2010 meeting, I am faxing the results of my Minnesota Multiphasic Personality Inventory-2 test. I have requested a reappearance in front of the board, if it is all possible please schedule my hearing for the May 2010 meeting. If you need to contact me please feel free to do so with any of the information at the top of this cover sheet.

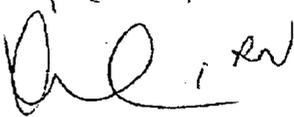
Sincerely  
Kevin Price, RN  


Exhibit B