

INDIANA STATE BOARD OF NURSING

**Met on
Thursday, June 20, 2013
at 8:30 a.m.
in the Auditorium of the
Indiana Government Center-South
302 West Washington Street
Indianapolis, Indiana 46204**

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

8:30 a.m.

Ms. McIntosh, R.N., President of the Indiana State Board of Nursing, called the meeting to order at 8:30 a.m. in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-23-1-5(b).

Board Members Present:

Constance McIntosh, R.N., President
Marcia Laux, R.N. Vice President
Karen Dolk, R.N., Secretary
Jerry Burghduff, L.P.N., Member
Kim Cooper, R.N., Member
Natalie Hall, R.N., Member
Anne Ogle, Consumer Member
Holly Presley, L.P.N., Member

Board Member(s) Absent:

Lynda Narwold, R.N., Member

State Officials Present:

Elizabeth Kiefner Crawford, Board Director, Indiana Professional Licensing Agency
Carri Burke, Compliance Director, Indiana Professional Licensing Agency
Gordon White, Nursing Board Advisory Counsel, Office of the Attorney General

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda as amended. Laux/Burghduff, 8-0-0, motion carries

III. ADOPTION OF THE MINUTES FROM THE MAY 16, 2013 MEETING OF THE BOARD

A motion was made and seconded to adopt the May 16, 2013 minutes. McIntosh/Laux, 8-0-0, motion carries

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM

Mr. Lindquist appeared on behalf of ISNAP. The first quarter 2013 compliance report indicates a 90% compliance rate for participants and a 10% non-compliance rate. Ms. Ogle asked about non-compliance and Mr. Lindquist indicated participants have one opportunity from significant non-compliance to become compliant or to be reported to the Board. Mr. Lindquist then briefly addressed the audience regarding the impaired nursing program.

V. EDUCATION

A. Brown Mackie College- All campuses-Request for Curriculum Change (Brenda McAllister)

Staff appeared from Brown Mackie College. The school has requested a curriculum change from the Board's previous approval of a 70 hour curriculum as the Indiana Board for Proprietary Education requires 72 hours to award a degree. They have added a 2 hour introduction to medical terminology course to the curriculum. A motion was made and seconded to accept the curriculum change. McIntosh/Laux, 8-0-0, motion carries

B. FYI Only: Bethel College Diploma/RN to BSN Completion Program: Information attached regarding revised curriculum and brochure

C. University of Indianapolis-Request for curriculum change for BSN program and request for closure of ASN program (Cheryl Conces)

Staff appeared from University of Indianapolis. They are requesting closure of the ASN program. The last class graduates in May 2015 with no new admissions this fall. A motion was made and seconded to accept closure of the program as of May 2015. McIntosh/Laux, 8-0-0, motion carries. A separate request was made for a curriculum change which removes a computer class from the current core requirements. All components will be contained in other coursework. A motion was made and seconded to accept the curriculum change. McIntosh/Laux, 8-0-0, motion carries.

D. Marion Community School System-Tucker Vocational Program Center LPN Program- Monthly progress reports for May and June 2013 and Notice of Intent to close program (Susan Chastain)

Staff appeared from Tucker. The June 2013 report advised that the Marion Community System School Board made a decision that the nursing program will be terminated after the current class graduates in September 2013. A new development has ensued as they have had a third party approach them about taking over the program. The school board will hear the proposal in the next week. Therefore, a motion was made and seconded to table the closure issue until the July 2013 meeting. McIntosh/Laux, 8-0-0, motion carries. Discussion then turned to the current compliance of the nursing program. Ms. Smith, the Director of the program, has made progress in every area. Students have now entered the adult health section and have components in pharmacy, adult health 2 and PDR remaining. The current class remains on track to graduate 9/29/13. Staff reports that students are doing well in clinicals. Currently, the program rotates through 14 different clinical sites. Ms. McIntosh asked about feedback from clinical rotations and how the program currently obtains feedback/issues after clinicals take place. Ms. Smith indicated she has received positive feedback from sites. Marion Rehab Center has been added as a new clinical site. Ms. Laux asked how clinical site feedback was documented and Ms. Smith indicated she reports it to Ms. McCammon. Ms. Laux indicated that the program needs an evaluation form annually for clinical sites. The program should then compile the information and place it into their program evaluation plan. Ms. Laux asked about information the Board received regarding a documented clinical issue and indicated that all names should be redacted as this may be construed as a FERPA and HIPAA violation. Ms. McIntosh asked whether Dr. Folks had accepted a new position at in the Fort Wayne area. Mr. Edwards indicated that the report is correct. Mr. Edwards reported that Dr. Folks is leaving next week and Mr. Edwards is retiring a week from Friday. Tentatively, Brad Lindsay has been named as the new school superintendent. Ms. Cooper asked about advisory boards for their clinical sites and staff indicated that they have one shared advisory board for all health programs composed of members from each site. Ms. Cooper then asked about the last 4-5 months and clinical concerns and staff advised they have completed one documented roundtable discussion with sharing of clinical affiliates. Ms. Cooper indicated that this clinical affiliate group should assist with program evaluation and satisfaction surveys. Ms. Laux indicated evaluation plan is not currently being completed at clinical sites. The Board lauds the work that has been completed thus far regarding program improvement but believes additional measures should be in place prior to removal of conditional accreditation. A motion was made and seconded to continue the conditional accreditation status. Laux/Hall, 8-0-0, motion carries. A reminder was made to the program staff that their reports are due promptly on the 5th of each month and that the new school superintendent should come with them to their July 18 appearance.

E. Medtech College-Fort Wayne- Request for change in enrollment process and increase in TEAS score in RN program (Phyllis Bragg)

Staff appeared from Medtech re: this issue. The staff indicated that they have considered the advice of this Board re: enrollment procedures and reviewed with faculty a request to increase to their TEAS score to 58.7. Prior to this request, the TEAS score required for admission was 52. Ms. Laux asked why some Medtech campuses complete HESI testing and some do TEAS testing. Staff indicated that in Indiana the TEAS testing requirement has always been utilized. Ms. Cooper asked about testing and retakes and the interval between testing attempts. Staff indicated that there is no policy about the amount of time required between retakes. Ms. Cooper then asked if there is a limit to the number of retake attempts and staff indicated there is not. Ms. Laux indicated one of the problems with remediation is that students will figure out answers quickly, memorize them and then retake multiple times in a row. It then becomes a question as to whether the student truly has a knowledge base or whether they are just memorizing answers. Ms. Cooper recommended that Medtech needs to adopt a policy that requires at least 30 days between retakes and also needs to give consideration to limiting the number of retake attempts as well. Ms. Cooper asked if students scores are based on a single test or whether successful passing sections of different tests may be put together to achieve a passing score. Staff indicated that sections of multiple tests are put together. Obviously, this is a concern as the NCLEX is based on a cumulative result on a single exam and not

pieced together sections of multiple exams. The staff also indicated that Medtech does not require retesting in low scoring areas. However, the staff indicated for the last two years they have been tracking classes after poor performance in sections of the TEAS scores, and completing analysis of TEAS score vs. first time NCLEX pass rate. Staff indicated no patterns have been indicated in two years of tracking. Ms. Hall indicated that Medtech appears to be heading in the right direction but it is difficult to understand they are not seeing a pattern in the statistics they are tracking. Staff from Medtech agreed with the Board and indicated that increasing the TEAS score may not increase NCLEX results. Ms. Laux indicated they need to use TEAS the way it is supposed to be utilized and remediate with limitations and time between tests. Ms. Cooper indicated the TEAS has 4 categories but the documentation provided to the Board indicates that Medtech is only using criteria for 3: English, Math and Science only. Ms. Cooper asked whether a questionnaire which contains flags would still allow a prospective student into the system and staff indicated it is possible. Ms. Cooper indicated that the process needs to be fixed to include all 4 sections, to limit the number of retakes, to develop a policy that requires some amount of time between retakes, and that subjective admission criteria for prospective students is a concern. A motion was made and seconded to table their request for additional consideration by Medtech. They may return to the Board in August 2013. Burghduff/Hall, 8-0-0, motion carries

F. FYI Only- Ivy Tech Terre Haute receives NLNAC continuing approval as of March 2013

VI. DISCUSSION

A. Education Review Form (Karen Dolk)

The Board reviewed the form created for site visits with collaboration from our pre-licensure nursing programs. A motion was made and seconded to accept the form for Board use and allow posting on the Board's website. Ogle/McIntosh, 8-0-0, motion carries A special thanks to all members of the education subcommittee who participated in this important work.

B. Introduction from Nicholas Rhoad, Executive Director of IPLA

Mr. Rhoad introduced himself as the new Executive Director of the Indiana Professional Licensing Agency effective June 17, 2013. Mr. Rhoad is replacing Virgil Madden, who was the Executive Director from January 2013 to current.

VIII. BOARD DIRECTOR REPORT

VIII. PERSONAL APPEARANCES

Board Action: A motion was made and seconded to accept the recommendations of Kim Cooper, RN on this date. McIntosh/Ogle, 7-0-0, motion carries

A. Appearances by Applicants for Licensure

- | | | | |
|----|--|--|--------------------------------------|
| 1. | Kobi Dalin Pflueger | RN Endorsement | CBC Hit/ Positive Response |
| | Ms. Pflueger appeared for her personal appearance regarding her application for licensure. The matter is to be tabled until the criminal matter is resolved. | | |
| 2. | Beverly A Lackey | RN Exam | Failed 3 Times/Graduated 2005 |
| | Ms. Lackey appeared for her personal appearance regarding her application for licensure. Ms. Lackey needs to take a review course and submit the predictability documentation of 95% or greater success on the NCLEX. Once this documentation is received, she is allowed to test and the license is to be issued free and clear. | | |
| 3. | Holly Foster | RN Exam | Failed 9 Times/Graduated 2001 |
| | Ms. Foster appeared for her personal appearance regarding her application for licensure. She graduated in 2001. She last tested in May 2013. The first few times she took the test she reviewed online and with a few books. After that she got discouraged and quit taking the exam for awhile. She hasn't really done much the last few years and is not sure where to start. She bought a Kaplan book to review. She feels like she has test anxiety. She needs to take the review course and submit the predictability documentation showing 95% or greater. Once this documentation is received by the board, she will be allowed to test and license to be issued free and clear. Ms. Cooper indicated her recommendation is that this is her last chance to take the NCLEX. | | |
| 4. | Jeffrey Dixon* | LPN Exam CBC Hit/Positive Response (FULL BOARD) | |
| | Mr. Dixon appeared before the full Board regarding his application for examination. In 1997, he attended a high school party and was confronted. He was advised that someone was going to shoot him. He could move his car forward but went in reverse and hit this individual. He called the jail and turned himself in. He was found innocent. In 1998 he was charged with a DUI but does not recall his BAC. In 1999, he was in another altercation with a group of individuals during a pool tournament and was arrested but not charged. In 2008, he was in another altercation when one of his acquaintances was fighting. In 2010, he had another DUI with a BAC of .15. He no longer drinks, | | |

he last drank in 2011. He has not been arrested since 2010. Two years ago he was married and has a good support system with his wife. He has worked two jobs in healthcare and has attended Medtech for the nursing program. He was asked whether he has anger issues and he says he does not. The Board is concerned about past anger issues, violence and past DUI's. A recommendation was made and seconded to allow to test, referred to ISNAP and must be on probationary license may not lift for a minimum of one year active nursing practice, must have an MMPI-2 prior to license issuance. McIntosh/Burghduff, 8-0-0, motion carries

5. Scheree Robinson* LPN Exam CBC Hit/Positive Response (FULL BOARD)

Ms. Robinson appeared before the full Board regarding her application for examination. She indicated having a CNA license since 1997. She reported an issue in 2002, when she worked a shift and stayed over because the facility was short staffed. A resident was masturbating and another CNA leaving the facility reported it to Ms. Robinson. Ms. Robinson indicated that she informed the resident that he would need to go into his bedroom or bathroom rather than continue this behavior in the dining room. At the end of shift Ms. Robinson reports that she was called by staff nurse and suspended because she was accused of cursing at resident and she was ultimately fired. There was a hearing regarding the allegations and her CNA credentials where judge initially ruled in her favor, but ISDH appealed the ruling and won. At the time of this event she was 23 years old. When she was 18, she reports being arrested for arguing with a police officer after having an argument with her sister. In 2000, she reports being arrested for stealing property and marijuana use. She admits stealing and that she had a bag of marijuana in her pocket. She was given a diversion agreement for this issue. She admits to a battery charge in 2005 and reports that she got into an argument with acquaintance who allegedly stole from her. Ms. McIntosh asked why the Board should allow her to test and take care of patients. Ms. Robinson indicated she is receiving counseling at Gallahue Mental Health. The Board then had to review another termination in 2006 where Ms. Robinson was fired from a job after pushing a supervisor. According to Ms. Robinson, a mental health exam conducted at that time indicated "she was no longer a victim" and she admits that again it that she acted before thinking. A recommendation was made and seconded to allow her to test and after successful passage of the NCLEX, issue a probationary license, must have an MMPI-2 and results prior to licensure, quarterly employer reports from employer, may not lift for one year of active nursing practice. Burghduff/McIntosh, 5-1-0, motion carries (Laux against)

6. Elyse Gregor LPN Exam CBC Hit/Positive Response/Graduated 2008

Ms. Gregor appeared for her personal appearance regarding her application for licensure. She reports a pending OWI but has not gone to court yet. This is the only time she has ever been in trouble. She graduated in 2008. She needs to take a review course and submit predictability documentation showing 95% or greater. After the documentation is received, she is allowed to test and license to be issued free and clear.

7. Kathryn Price* LPN Exam Graduated 2007

Ms. Price appeared for her personal appearance regarding her application for licensure. Ms. Price needs to take a review course and submit predictability documentation showing a 95% or greater. Once this documentation is received, she will be allowed to test and license to be issued free and clear.

8. Charles R. Fields* RN Endorsement CBC Hit/Positive Response CONTINUED

9. Angel Marie Cazares LPN Exam CBC Hit/Positive Response

Ms. Cazares appeared for her personal appearance regarding her application for licensure. Ms. Cazares reports two domestic charges involving her ex-husband and daughter. She is allowed to endorse. License to be issued on probation for 6 months active practice with quarterly employer reports.

10. Jordan Freels RN Exam CBC Hit/Positive Response

Ms. Freels appeared for her personal appearance regarding her application for licensure. Ms. Freels had two minor consumption and one public intoxication charge. She is allowed to test. She needs to have an ISNAP evaluation. Her license will be issued on probation for the length of her RMA or a year of active nursing practice with quarterly reports whichever is longer.

11. Donna Marie Neal LPN Exam Graduated 2009

Ms. Neal appeared for her personal appearance regarding her application for licensure. In 2002, she had a possession of marijuana charge. The charge was dropped because a friend came forward to say it was hers and not Ms. Neal's. She is allowed to test and license to be issued free and clear.

12. Nicole Sue Schmidt LPN Exam Positive Response

Ms. Schmidt appeared for her personal appearance regarding her application for licensure. In 2010, she had an alcohol consumption charge. In 2011, she had a possession charge. She is allowed to test. Her license is to be issued on probation for 6 months active practice with quarterly reports.

with a training record. He received the NCSBN comparison document as well. He looked at Army curriculum and NCSBN did review of 3 level of Air Force but did not review 5 and 7 levels of training. He is currently a 7 level in Air Force Specialty code and feels there are discrepancies. He currently lives in Alaska and works in an emergency room setting and is an EMT level 3. Mr. Burghduff indicated he contacted Ft. Sam Houston Texas re: allied health and spoke with personnel there at Allied Health Center. Mr. Burghduff talked to all four branches of the service to find out what schools they accredit and the only accredited LPN program is 68MW course at Fort Sam Houston. The other remaining services do not have an LPN equivalency. Although the Board appreciates Mr. Northam's service to our country, they cannot grant licensure at this time as the work completed was not at an LPN equivalent level. Burghduff/ McIntosh, 6-0-0, motion carries

The following personal appearances are scheduled for 1:30 p.m.:

D. Appearances by Applicants for Licensure

1. Stacy L. Henderson RN Exam CBC Hit/Positive Response (FULL BOARD)

The full board heard this matter. The facts are based on her conviction for false information. The Board will allow her to test and hold the license until her LPN is reinstated. Hall/Cooper, 5-0-0, motion carries

IX. ADMINISTRATIVE HEARINGS

The following hearings are scheduled to begin at 9:00 a.m. Cases will be heard upon order of arrival. A sign-up sheet will be available at 8:00 a.m.

- 1. In the Matter of the License of: Barry Joe Cherry, L.P.N., License No. 27052247A**
Administrative Cause No. 2013 NB 132
Re: Final Disciplinary Hearing
Deputy Attorney General Jason Gross appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. A motion was made and seconded to issue a notice of proposed default.
McIntosh/Ogle 7-0-0, motion carries
- 2. In the Matter of the License of: Robbie Michael Valentic, L.P.N., License No. 27058493A**
Administrative Cause No. 2013 NB 136
Re: Final Disciplinary Hearing
Deputy Attorney General Jason Gross appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. A motion was made and seconded to issue a notice of proposed default.
Burghduff/McIntosh 7-0-0, motion carries
- 3. In the Matter of the License of: Anissa Louise Farrell, L.P.N., License No. 27040942**
Administrative Cause No. 2013 NB 135
Re: Final Disciplinary Hearing
Deputy Attorney General Jason Gross appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. A motion was made and seconded to issue a notice of proposed default.
Burghduff/McIntosh 7-0-0, motion carries
- 4. In the Matter of the License of: Cynthia Bolenbaugh, R.N., License No. 28129081A**
Administrative Cause No. 2013 NB 134
Re: Final Disciplinary Hearing
Deputy Attorney General Jason Gross appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. A motion was made and seconded to issue a notice of proposed default.
McIntosh/Laux 7-0-0, motion carries
- 5. In the Matter of the License of: Phyllis Grice, R.N., License No. 28205796A**
Administrative Cause No. 2013 NB 133
Re: Motion for Voluntary Dismissal
Deputy Attorney General Jason Gross appeared on behalf of the State of Indian and requested voluntary dismissal of the matter. A motion was made and seconded to dismiss the matter. McIntosh/Burghduff 7-0-0, motion carries

6. **In the Matter of the License of: Lisa Ellen McDaniel, R.N., License No. 28172031A**
Administrative Cause No. 2010 NB 080
Re: Order to Show Cause
Deputy Attorney General David Fleischhacker appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to place the Respondent's license on indefinite suspension for six months of compliance in an RMA and costs. Laux/Burghduff 7-0-0, motion carries
7. **In the Matter of the License of: Jessica Lyn Cazzell, R.N., License No. 28194716A** CONTINUED
Administrative Cause No. 2012 NB 564
Re: Final Disciplinary Hearing
8. **In the Matter of the License of: Deshone Jones-Polk, R.N., License No. 28193575A***
Administrative Cause No. 2013 NB 021
Re: Final Disciplinary Hearing
Deputy Attorney General David Fleischhacker appeared on behalf of the State of Indiana. Respondent appeared in person and by counsel David Young. After a hearing, a motion was made and seconded to dismiss the case. Burghduff/Laux 6-0-0, motion carries
9. **In the Matter of the License of: Joanna K. Shaneyfelt, R.N., License No. 28178390A**
Administrative Cause No. 2012 NB 042
Re: Request to Reinstate
Nicholas Elliott appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to deny the request. Burghduff/McIntosh, 6-2-0, motion carries (Ogle and Hall against)
10. **In the Matter of the License of: Sam O'Gonuwe, R.N., License No. 28162580A**
Administrative Cause No. 2011 NB 187
Re: Request to Withdraw Probation
Nicholas Elliott appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to withdraw the probation. McIntosh/Laux 6-0-0, motion carries
11. **In the Matter of the License of: Stacy M. Dunning, L.P.N., License No. 27048690A**
Administrative Cause No. 2012 NB 241
Re: Order to Show Cause
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to place the Respondent's license on indefinite suspension for a minimum of one year of compliance in an RMA, must complete a higher level of treatment before ISNAP enrollment, \$250 fine, and continuing education. Laux/Ogle, 5-0-1, motion carries (Burghduff abstains)
12. **In the Matter of the License of: Maryellen P. Weigand, R.N., License No. 28102257A**
Administrative Cause No. 2012 NB 219
Re: Order to Show Cause
Maritza Webb appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. A motion was made and seconded to issue a notice of proposed default. McIntosh/Burghduff 7-0-0, motion carries
13. **In the Matter of the License of: Kathryn Mitchell, R.N., License No. 28149041A**
Administrative Cause No. 2011 NB 084
Re: Request to Withdraw Probation
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to deny the request. Laux/Burghduff, 7-0-0, motion carries

14. **In the Matter of the License of: Malissa Conley, R.N., License No. 28163447A**
Administrative Cause No. 2013 NB 158
Re: Notice of Dismissal of Complaint
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana and requested dismissal of the matter. A motion was made and seconded to dismiss the matter. Laux/McIntosh 7-0-0, motion carries
15. **In the Matter of the License of: Chrystal Lenell Carpenter, L.P.N., License No. 27046379A**
Administrative Cause No. 2013 NB 237
Re: Petition for Summary Suspension
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. After a hearing, a motion was made and seconded to issue a summary suspension in this matter. McIntosh/Burghduff 7-0-0, motion carries
16. **In the Matter of the License of: Lisa Scarth, L.P.N., License No. 27046263A**
Administrative Cause No. 2011 NB 206
Re: Request to Withdraw Probation
Leif Johnson appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to withdraw the probation.
Burghduff/McIntosh, 7-0-0, motion carries
17. **In the Matter of the License of: Sarah Elizabeth Hawes, R.N., License No. 28175405A**
Administrative Cause No. 2013 NB 238
Re: Petition for Summary Suspension
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to place Respondent on summary suspension. McIntosh/Burghduff, 8-0-0, motion carries
18. **In the Matter of the License of: Connie Sue Rollins, L.P.N., License No. 27047708A**
Administrative Cause No. 2013 NB 239
Re: Petition for Summary Suspension
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to place Respondent on summary suspension. McIntosh/Ogle, 8-0-0, motion carries
19. **In the Matter of the License of: Jane Elizabeth Armstrong, R.N., License No. 28125446A**
Administrative Cause No. 2013 NB 245
Re: Petition for Summary Suspension
Deputy Attorney General Patricia Gibson appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. After a hearing, a motion was made and seconded to place Respondent on summary suspension. McIntosh/Burghduff 7-0-0, motion carries
20. **In the Matter of the License of: Maranda Yvonne Wood, R.N., License No. 28192222A**
Administrative Cause No. 2013 NB 242
Re: Petition for Summary Suspension
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to place on summary suspension. Burghduff/Hall, 8-0-0, motion carries
21. **In the Matter of the License of: Catherine Joan Fisher, L.P.N., License No. 27043320A**
Administrative Cause No. 2013 NB 244
Re: Petition for Summary Suspension
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. After a hearing, a motion was made and seconded to place Respondent on summary suspension. Burghduff/McIntosh 7-0-0, motion carries

22. **In the Matter of the License of: Michelle Lea Bray, R.N., License No. 28150539A**
 Administrative Cause No. 2013 NB 160
 Re: Final Disciplinary Hearing
 Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. Respondent appeared in person and by counsel Matt Black and Adam Clay. After a hearing, a motion was made and seconded to place the Respondent's license on indefinite probation for the length of an RMA. Burghduff/McIntosh, 7-0-0, motion carries
23. **In the Matter of the License of: Dawn Marie Ogle, L.P.N., License No. 27049810A CONTINUED**
 Administrative Cause No. 2013 NB 152
 Re: Final Disciplinary Hearing
24. **In the Matter of the License of: Thomas C. Meyer, R.N., License No. 28171260A**
 Administrative Cause No. 2012 NB 0281
 Re: Objection to Rec. Findings of Fact, Conclusions of Law and Order dated April 17, 2013
 Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to affirm the recommendation of the ALJ. Ogle/Cooper, 6-0-0, motion carries (Burghduff recused)
25. **In the Matter of the License of: Stacy L. Henderson, L.P.N., License No. 27042980A**
 Administrative Cause No. 2013 NB 107
 Re: Final Disciplinary Hearing
 Deputy Attorney General David Fleischhacker appeared on behalf of the State of Indiana. Respondent appeared in person and with counsel Mark Sullivan. After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, may apply for reinstatement after six months and continuing education in leadership, professionalism, ethics and HIPAA, twelve hours each and costs. Cooper/Dolk 5-0-0, motion carries (McIntosh, Burghduff, Laux recused)
26. **In the Matter of the License of: Demond Lee Arnold, L.P.N., License No. 27066079A**
 Administrative Cause No. 2013 NB 096
 Re: Final Disciplinary Hearing
 Deputy Attorney General Roberta Hirsch appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to place the Respondent's license on indefinite probation, continuing education, MMPI-2, and costs. Laux/Presley, 6-1-0, (McIntosh against)
27. **In the Matter of the License of: Gwendolyn Swartzentruber, R.N., License No. 28201376A**
 Administrative Cause No. 2012 NB 505
 Re: Order to Show Cause
 Deputy Attorney General Joshua Timmons appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. A motion was made and seconded to issue a notice of proposed default in the matter. McIntosh/Dolk 7-0-0, motion carries
28. **In the Matter of the License of: Leslie White, R.N., License No. 28057278A**
 Administrative Cause No. 2010 NB 0083
 Re: Request for Modification of Findings of Fact, Conclusions of Law and Order dated April 21, 2010
 Leif Johnson appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to waive the additional \$2,000 fine and consider the \$7,000 already paid as payment in full. Laux/McIntosh 7-0-0, motion carries

X. DEFAULTS

1. **In the Matter of the License of: Mitchell Bales, R.N., License No. 28177659A**
 Administrative Cause No. 2013 NB 005
 Re: Notice of Proposed Default

Deputy Attorney General Patricia Gibson appeared on behalf of the State of Indiana and requested that the matter be tabled.

2. **In the Matter of the License of: Michael Frasher, L.P.N., License No. 27044238A**
Administrative Cause No. 2012 NB 548
Re: Notice of Proposed Default
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana and requested that the matter be reset for a prehearing settlement conference. A motion was made and seconded to grant the request.
McIntosh/Ogle 6-0-0, motion carries
3. **In the Matter of the License of: Cecelia D. Turner, L.P.N., License No. 27060648A**
Administrative Cause No. 2012 NB 417
Re: Notice of Proposed Default
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. McIntosh/Presley 6-0-0, motion carries After a hearing, a motion was made and seconded to revoke the license. McIntosh/Burghduff 6-0-0, motion carries
4. **In the Matter of the License of: Kristy Jean Ault, R.N., License No. 28140180A**
Administrative Cause No. 2013 NB 164
Re: Notice of Proposed Default
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. Burghduff/McIntosh 7-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite suspension, must demonstrate 6 months of full and complete compliance in an ISNAP RMA, continuing education, \$250 fine and costs. Burghduff/Ogle 7-0-0, motion carries
5. **In the Matter of the License of: Shawn Michael Barnes, R.N., License No. 28192416A**
Administrative Cause No. 2013 NB 157
Re: Notice of Proposed Default
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. McIntosh/Presley 6-0-1, motion carries (Dolk abstains) After a hearing, a motion was made and seconded to place the license on indefinite suspension, must have 1 year of full compliance in an ISNAP RMA, continuing education, MMPI-2 and costs. Burghduff/Ogle 6-0-1, motion carries (Dolk abstains)
6. **In the Matter of the License of: Jon Howard Mobley, R.N., License No. 28100308A**
Administrative Cause No. 2013 NB 156
Re: Notice of Proposed Default
Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. Laux/McIntosh 6-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite suspension, must have 1 year of full compliance in an ISNAP RMA, continuing education, \$250 fine and costs. McIntosh/Ogle 6-0-0, motion carries
7. **In the Matter of the License of: Alishia C. Capps, L.P.N., License No. 27066538A**
Administrative Cause No. 2013 NB 109
Re: Notice of Proposed Default
Response Received
Deputy Attorney General Patricia Gibson appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. McIntosh/Laux 7-0-0, motion carries After a hearing, a motion was made and seconded to revoke the license. Burghduff/Ogle 7-0-0, motion carries

8. **In the Matter of the License of: Angela M. Santos, R.N., License No. 28167126A**
Administrative Cause No. 2013 NB 115
Re: Notice of Proposed Default
Deputy Attorney General Patricia Gibson appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. Laux/Ogle 7-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite suspension, must have 6 months of full compliance in an ISNAP RMA, and costs. McIntosh/Laux 7-0-0, motion carries
9. **In the Matter of the License of: Amie Ruth Woodward, L.P.N., License No. 27060430A**
Administrative Cause No. 2013 NB 146
Re: Notice of Proposed Default
Deputy Attorney General Patricia Gibson appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. Laux/Presley 7-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite suspension, must have 1 year of full compliance in an ISNAP RMA, continuing education, \$750 fine and costs. McIntosh/Laux 7-0-0, motion carries
10. **In the Matter of the License of: Juliana Jo Moody, R.N., License No. 28179808A**
Administrative Cause No. 2013 NB 114
Re: Notice of Proposed Default
Deputy Attorney General Patricia Gibson appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. McIntosh/Cooper 7-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite suspension, must have 6 months of full compliance in an ISNAP RMA, and costs. McIntosh/Dolk 7-0-0, motion carries
11. **In the Matter of the License of: Lisa Michelle Grammer, L.P.N., License No. 27029099A**
Administrative Cause No. 2013 NB 137
Re: Notice of Proposed Default
Deputy Attorney General Jason Gross appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. McIntosh/Laux 7-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite suspension, must have 3 months of full compliance in an ISNAP RMA, and costs. Burghduff/McIntosh 6-0-1 (Ogle abstains)
12. **In the Matter of the License of: Randi K. Gregory, R.N., License No. 28174763A**
Administrative Cause No. 2013 NB 143
Re: Notice of Proposed Default
Deputy Attorney General Joshua Timmons appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. McIntosh/Laux 7-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite probation, psychological evaluation including MMPI-2, continuing education, 6 months active nursing practice with quarterly reports, signed board order, \$250 fine and costs McIntosh/Presley, 5-2-0, motion carries (Cooper/Burghduff against)
13. **In the Matter of the License of: Felicia Ann Whitlock, L.P.N., License No. 27025168A**
Administrative Cause No. 2013 NB 147
Re: Notice of Proposed Default
Deputy Attorney General Joshua Timmons appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. McIntosh/Ogle 7-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite probation for a minimum of one year, continuing education, one year of active nursing practice, quarterly employer reports, signed board order, \$250 fine and costs. McIntosh/Laux 7-0-0, motion carries
14. **In the Matter of the License of: Tammy L. Aubuchon, L.P.N., License No. 27047770A**
Administrative Cause No. 2013 NB 094
Re: Notice of Proposed Default
Response Received

Deputy Attorney General David Fleischhacker appeared and requested that the matter be reset for a prehearing settlement conference. A motion was made and seconded to grant the request. Burghduff/Ogle 7-0-0, motion carries

15. In the Matter of the License of: Rebecca Guzman, L.P.N., License No. 27041540A

Administrative Cause No. 2012 NB 533

Re: Notice of Proposed Default

Nicholas Elliott appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. McIntosh/Laux 7-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite suspension, must have 6 months of full compliance in an ISNAP RMA, and costs.

Presley/Burghduff 7-0-0, motion carries

16. In the Matter of the License of: Regina Kay Daniel, L.P.N., License No. 27033794A

Administrative Cause No. 2013 NB 053

Re: Notice of Proposed Default

Deputy Attorney General Patricia Gibson appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. Burghduff/Presley 7-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite suspension, must have 1 year of full compliance in an ISNAP RMA, continuing education, \$500 fine and costs. Laux/McIntosh 7-0-0, motion carries

17. In the Matter of the License of: John Allen Collins, R.N., License No. 28101019A

Administrative Cause No. 2013 NB 031

Re: Notice of Proposed Default

Response Received

Deputy Attorney General Patricia Gibson appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. McIntosh/Laux 6-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite suspension for no less than 99 years and costs.

McIntosh/Burghduff 6-0-0, motion carries

18. In the Matter of the License of: April Miller, L.P.N., License No. 27067604A

Administrative Cause No. 2013 NB 018

Re: Notice of Proposed Default

Maritza Webb appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. McIntosh/Laux 6-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite suspension, must have 1 year of full compliance in an ISNAP RMA, \$250 fine and costs.

Burghduff/Laux 6-0-0, motion carries

19. In the Matter of the License of: Pamela Majors, L.P.N., License No. 27039387A

Administrative Cause No. 2011 NB 110

Re: Notice of Proposed Default

Nicholas Elliott appeared on behalf of the State of Indiana. A motion was made and seconded to issue a default in this matter. Burghduff/Ogle 7-0-0, motion carries After a hearing, a motion was made and seconded to place the license on indefinite suspension for the length of the RMA and costs. Ogle/McIntosh 7-0-0, motion carries

XI. PRE-HEARING SETTLEMENT CONFERENCES

1. In the Matter of the License of: Janessa L. McKinnley, R.N., License No. 28195546A*

Administrative Cause No. 2013 NB 079

Re: Prehearing Settlement Conference

2. In the Matter of the License of: Amanda Fields Rhoades, L.P.N., License No. 27046407A

Administrative Cause No. 2013 NB 177

Re: Prehearing Settlement Conference

Deputy Attorney General Joshua Timmons appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. A notice of proposed default was requested and granted.

McIntosh/Laux 7-0-0, motion carries

3. **In the Matter of the License of: Melanie Dawn Pal, R.N., License No. 28172069A**
Administrative Cause No. 2013 NB 176
Re: Prehearing Settlement Conference
4. **In the Matter of the License of: Gaspar Dala Cruz Dado, L.P.N., License No. 27054062A**
Administrative Cause No. 2013 NB 178
Re: Prehearing Settlement Conference
Deputy Attorney General Joshua Timmons appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. A notice of proposed default was requested and granted.
Laux/Cooper 7-0-0, motion carries
5. **In the Matter of the License of: Beverly Sue Stillson, R.N., License No. 28087476A**
Administrative Cause No. 2013 NB 189
Re: Prehearing Settlement Conference
Deputy Attorney General Joshua Timmons appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. A notice of proposed default was requested and granted.
Laux/Cooper 7-0-0, motion carries
6. **In the Matter of the License of: Cassandra L. Roeder, R.N., License No. 28123027A**
Administrative Cause No. 2013 NB 148
Re: Prehearing Settlement Conference
7. **In the Matter of the License of: Michelle Lynn Cook, L.P.N., License No. 27066384A**
Administrative Cause No. 2013 NB 192
Re: Prehearing Settlement Conference
8. **In the Matter of the License of: Nia F. Bottoms, L.P.N., License No. 27027606A** CONTINUED
Administrative Cause No. 2013 NB 199
Re: Prehearing Settlement Conference
9. **In the Matter of the License of: Marie E. Chavero, L.P.N., License No. 27066640A** CONTINUED
Administrative Cause No. 2013 NB 202
Re: Prehearing Settlement Conference
10. **In the Matter of the License of: John Edward Dornbush, R.N., License No. 28107480A**
Administrative Cause No. 2013 NB 201
Re: Prehearing Settlement Conference
Deputy Attorney General David Fleischhacker appeared on behalf of the State of Indiana. Respondent failed to appear in person or by counsel. A notice of proposed default was requested and granted.
Laux/McIntosh 7-0-0, motion carries
11. **In the Matter of the License of: Brooke A. Bussberg, R.N., License No. 28164561A**
Administrative Cause No. 2013 NB 200
Re: Prehearing Settlement Conference
12. **In the Matter of the License of: Julie C. Steele, L.P.N., License No. 27039970A**
Administrative Cause No. 2013 NB 198
Re: Prehearing Settlement Conference

XII. SETTLEMENT AGREEMENTS (TO BE APPROVED)

Board Action: A motion was made and seconded to accept all settlement agreements filed on this date. Burghduff/McIntosh, 7-0-0, motion carries

1. **In the Matter of the License of: Selest Faye Roehm, L.P.N., License No. 27055446A**
Administrative Cause No. 2013 NB 061
Re: Proposed Settlement Agreement
2. **In the Matter of the License of: Susan R. Napier, R.N., License No. 28144429A**
Administrative Cause No. 2013 NB 185
Re: Proposed Settlement Agreement
3. **In the Matter of the License of: Dana Lynn Chismar, R.N., License No. 28185038A**
Administrative Cause No. 2013 NB 159
Re: Proposed Settlement Agreement
4. **In the Matter of the License of: Glenna Jean Myers, L.P.N., License No. 27034149A**
Administrative Cause No. 2013 NB 122
Re: Proposed Settlement Agreement
5. **In the Matter of the License of: Ashley N. Tuffley, R.N., License No. 28195723A**
Administrative Cause No. 2013 NB 191
Re: Proposed Settlement Agreement
6. **In the Matter of the License of: Jennifer Cox, L.P.N., License No. 27064424A**
Administrative Cause No. 2013 NB 120
Re: Voluntary Summary Suspension Agreement
7. **In the Matter of the License of: Michelle Rene Sabelhaus, R.N., License No. 28190570A**
Administrative Cause No. 2013 NB 217
Re: Proposed Settlement Agreement
8. **In the Matter of the License of: Melanie Jane Dickson, L.P.N., License No. 27048637A**
Administrative Cause No. 2013 NB 139
Re: Proposed Settlement Agreement
9. **In the Matter of the License of: Kristy Lynn Working, L.P.N., License No. 27032893A**
Administrative Cause No. 2013 NB 221
Re: Proposed Settlement Agreement
10. **In the Matter of the License of: Sharon Joy Pardieck, R.N., License No. 28075807A**
Administrative Cause No. 2013 NB 186
Re: Proposed Settlement Agreement
11. **In the Matter of the License of: Gewana Stringer, L.P.N., License No. 27053143A***
Administrative Cause No. 2012 NB 408
Re: Proposed Settlement Agreement
12. **In the Matter of the License of: Nancy Marie Grover, R.N., License No. 28107587A**
Administrative Cause No. 2013 NB 226
Re: Proposed Settlement Agreement
13. **In the Matter of the License of: Sheva Patrice Robinson, L.P.N., License No. 27052073A**
Administrative Cause No. 2013 NB 121
Re: Proposed Settlement Agreement

14. **In the Matter of the License of: Bernice E. Roberson, L.P.N., License No. 27043020A**
Administrative Cause No. 2013 NB 150
Re: Proposed Settlement Agreement
15. **In the Matter of the License of: Jayne Marie Chayhitz, R.N., License No. 28151646A**
Administrative Cause No. 2013 NB 222
Re: Proposed Settlement Agreement
16. **In the Matter of the License of: Corrina Burger, L.P.N., License No. 27059810A**
Administrative Cause No. 2013 NB 113
Re: Proposed Agreed Indefinite Summary Suspension
17. **In the Matter of the License of: Samantha Ann Schuelke, R.N., License No. 28144224A**
Administrative Cause No. 2013 NB 227
Re: Proposed Settlement Agreement
18. **In the Matter of the License of: Laura Marie Smith, L.P.N., License No. 27052519A**
Administrative Cause No. 2013 NB 123
Re: Voluntary Summary Suspension Agreement
19. **In the Matter of the License of: Rebecca Doyon, L.P.N., License No. 27045513A**
Administrative Cause No. 2013 NB 175
Re: Proposed Settlement Agreement
20. **In the Matter of the License of: Crystal Danyell Taylor, L.P.N., License No. 27058302A**
Administrative Cause No. 2013 NB 153
Re: Proposed Settlement Agreement
21. **In the Matter of the License of: Rebecca Davis, R.N., License No. 28161191A**
Administrative Cause No. 2013 NB 065
Re: Proposed Settlement Agreement
22. **In the Matter of the License of: Audra L. Freels, R.N., License No. 28142225A**
Administrative Cause No. 2013 NB 195
Re: Proposed Settlement Agreement
23. **In the Matter of the License of: Dawn McCrory, L.P.N., License No. 27049403A**
Administrative Cause No. 2012 NB 519
Re: Notice of Proposed Default/Proposed Settlement Agreement Filed

IX. ADMINISTRATIVE LAW JUDGE RECCOMENDATIONS (TO BE APPROVED)

Board Action: A motion was made and seconded to accept all Administrative Law Judge recommendations.

McIntosh/Laux, 8-0-0, motion carries

The following hearings took place on May 2, 2013 before ALJ Jerry Burghduff, LPN:

1. **In the Matter of the License of: Melissa Allen, L.P.N., License No. 27062333A**
Administrative Cause No. 2012 NB 570
Re: Request to Withdraw Probation
Maritza Webb appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, ALJ Burghduff's recommendation is to withdraw the probation on the license.
2. **In the Matter of the License of: Sarah Burch, R.N., License No. 28175037A**
Administrative Cause No. 2007 NB 083
Re: Request to Withdraw Probation

Joshua Timmons appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, ALJ Burghduff's recommendation is to withdraw the probation on the license.

3. **In the Matter of the License of: Troy Davis Craig, L.P.N., License No. 27064264A**

Administrative Cause No. 2012 NB 272

Re: Request to Reinstate

Patricia Gibson appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, ALJ Burghduff's recommendation is to reinstate the license. License will be on probation for one year. Employer reports and or self reports are to be submitted twice a month and six (6) CEUs in pharmacology submitted every month for a year.

4. **In the Matter of the License of: Alexander Charles Gates, R.N., License No. 28187098A**

Administrative Cause No. 2009 NB 272

Re: Request to Withdraw Probation

Joshua Timmons appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, ALJ Burghduff's recommendation is to withdraw the probation on the license.

5. **In the Matter of the License of: Ashley Kenyon, R.N., License No. 28183458A**

Administrative Cause No. 2007 NB 084

Re: Request to Withdraw Probation

Leif Johnson appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, ALJ Burghduff's recommendation is to withdraw the probation on the license.

6. **In the Matter of the License of: Tracy Peckinpaugh, R.N., License No. 28166541A**

Administrative Cause No. 2011 NB 554

Re: Request to Withdraw Probation

Jon Ferguson appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, ALJ Burghduff's recommendation is to withdraw the probation on the license.

7. **In the Matter of the License of: Christy L. Rossman, R.N., License No. 28157906A**

Administrative Cause No. 2012 NB 185

Re: Request to Reinstate

Jason Gross appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, ALJ Burghduff's recommendation is to deny the request and may return in October.

8. **In the Matter of the License of: Karen Townsend, R.N., License No. 28117871A**

Administrative Cause No. 2009 NB 121

Re: Request to Withdraw Probation

Jon Ferguson appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, ALJ Burghduff's recommendation is deny the request. The current probation order is to be modified to include three (3) additional months on probation with six (6) CEUs in pharmacology; six (6) in medication administration; and twelve (12) in professionalism and ethics.

9. **In the Matter of the License of: Elizabeth Lynn Williams, L.P.N., License No. 27043462A**

Administrative Cause No. 2007 NB 0122

Re: Request to Withdraw Probation

Maritza Webb appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, ALJ Burghduff's recommendation is to deny the request. Respondent must be re-evaluated by ISNAP. She may request to have to probation withdrawn after she has the ISNAP evaluation.

10. **In the Matter of the License of: Tami Wilson, R.N., License No. 28160579A**

Administrative Cause No. 2012 NB 316

Re: Request to Withdraw Probation

David Fleischhacker appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, ALJ Burghduff's recommendation is to withdraw the probation on the license.

11. **In the Matter of the License of: Shawn Windle, R.N., License No. 28138098A**

Administrative Cause No. 2006 NB 0116

Re: Request to Withdraw Probation

Nicholas Elliott appeared on behalf of the State of Indiana. Respondent appeared in person and with counsel Kate Winders. After a hearing, ALJ Burghduff's recommendation is to withdraw the probation on the license.

The following hearing took place on June 6, 2013 before ALJ Jerry Burghduff, LPN

1. In the Matter of the License of: Marci Fawks, R.N., License No. 28132879A

Administrative Cause No. 2012 NB 062

Re: Request to Reinstate

Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, ALJ Burghduff recommended that the Respondent's license be reinstated on probation for an additional six months. She may apply for withdrawal after successful completion.

2. In the Matter of the License of: Jayme Clark, R.N., License No. 28198416A

Administrative Cause No. 2011 NB 211

Re: Request to Reinstate

Jon Ferguson appeared on behalf of the State of Indiana. Respondent appeared in person and waived the right to counsel. After a hearing, ALJ Burghduff recommended that the Respondent's license be reinstated on probation for the length of the recovery monitoring agreement.

The following hearings and personal appearances took place on June 6, 2013:

A. Appearances by Applicants by Licensure

1. Michael Thomas LPN Exam CBC Hit/Positive Response

Mr. Thomas appeared for his personal appearance regarding his application for licensure. He doesn't know how many times he was arrested but it was several in his twenties. His last arrested he had been for scraping, taking metal. This was in 2006. He did this to get money because he was out of work. He got the metal from an old abandoned building. He didn't realize how serious it was until he was arrested. He was placed on probation. He successfully completed the probation in 2008. Several arrests were driving without of license. He did have an arrest for possession of cocaine and marijuana. The drugs he had been for personal use. He has been clean since his last arrest. He went through a rehab program. He has changed his life. He has changed the people he is around, he went and received his education and joined the church. He currently works as a CNA. He is allowed to test. His license is to be issued on probation for 6 months active nursing practice with quarterly reports.

2. Kilee Tucker LPN Exam CBC Hit/Positive Response

Ms. Tucker appeared for her personal appearance regarding her application for licensure. She had a misdemeanor drug charge, doesn't know the year but believes it was in 2006. It took place in Lansing Michigan. She was placed on probation which she successfully completed. The drug she had was marijuana. It was for her own personal use. She was pulled over after the cops had ran the plates for the car she was driving. The car was someone's elses. In 2009, she was charged with larceny. She went to Wal-Mart with a friend and she didn't know the other girl was stealing. The Judge dismissed her charges because she was not the one stealing. In Michigan she had a DUI. She was dancing while she was going to school. She started drinking and smoking pot while she was dancing. She was dancing to put herself through college. She was leaving work. She had been drinking. She went to alcohol classes and mothers against drunk driving. Her nursing school knew all of this before she started school. She doesn't drink or drugs anymore. She is currently working at Zionsville Meadows and Caramel Care as a CNA. Both employers know about her criminal history. She finished last September. Medtech held her certificate of completion for quite awhile. There reason for this was because Medtech wanted them to go through a particular study program. She needs to have an ISNAP evaluation. She is allowed to test. Her license issued on probation for one year of active nursing practice with quarterly report.

3. Scheree Robinson LPN Exam CBC Hit/Positive Response

Ms. Robinson appeared for her personal appearance regarding her application for licensure. She got her CNA license in 1997. In 2002, she came in for a shift, she came in on the wrong weekend but they were short so she stayed because they were short. She was accused of cussing out a resident. She was told by the night shift that the patient was doing something inappropriate in the hall. She went to him and told him he can't do that in there he had to go to his bathroom or his room. He went to his room. Later she was told she was suspended while she was being investigation. 3 days later she was terminated. After that she received a letter from the health department regarding a complaint they had received. Her hearing was set for later that year. She just had her child and was having some problems. Due to these problems she wasn't able to make the hearing. She informed them of this. She was told it was ok and the ruling was in her favor. She went back to work. About 6 months later she was informed the health department requested an appeal. She went to the hearing and was told she couldn't speak. The result of the hearing was against her for abuse. When she was 18 she was arrested for arguing with a police officer. In 2000 she was arrested for stealing property and she had some majiunia in her pocket. The case was dismissed after she went through drug court. The drugs she had on her had been for personal use. In 2005, she had a battery charge. She was at work and she didn't see eye to eye with another supervisor. The supervisor had her fired. She had a physical altercation with the supervisor after she was fired. 2006, she let a girl come stay with her against her better judgment. The girl was stealing her stuff so she told the girl she had to go. The girl busted her windows. The girl called the police. The girl never showed up at court so it was dismissed.

She had a criminal mischief charge because her daughters father said she came in destroyed his girlfriend's car. They never showed up at court so it was dismissed. Matter needs to be rescheduled for full board.

4. Vildana Brkic RN Exam CBC Hit/Positive Response

Ms. Brkic appeared for her personal appearance regarding her application for licensure. In November 2009, she had gone to a bar after work she had a drink and a half and left to go home after this. She felt like she was fine. She dropped her phone and tried to pick it up and didn't control the car. She hit another car. She hit the front part of their car. Her blood alcohol level was .11. She has never had any other arrest. She occasional drinks now but not if she is driving. She was on house arrest for 6 months and took alcohol classes. She does not meet criteria for ISNAP. She is allowed to test. License to be issued free and clear.

5. Stacy Lynn Henderson RN Exam CBC Hit/Positive Response CONTINUED

6. Jeffery Dixon LPN Exam CBC Hit/Positive Response

Mr. Dixon appeared for his personal appearance regarding his application for licensure. In 1997, he graduated from high school. He went to a party that was not in his area. At the party someone pulled a gun on him from behind his car, he pulled away and the guy with the gun was hit. He stopped at a pay phone around the corner and called the cops and turned himself in the next morning. He wasn't charged with anything after everything was told. After this he went to Indiana State. He was at a party and left. He had been drinking and he was stopped on his way home. He was charged with DUI. In 2000, he was dating a girl, they got into an argument. A police officer pulled up while they were arguing. The officer said he was taking him to jail; no charges just spent the night in jail to calm down. It was a verbal argument not physical. He had a second incident where he was jumped by a group of guys. A big fight all were took to jail, no charges. In 1999, there was another fight. In 2008, another fight. In 2010, he had a DUI. He had been drinking. He got a call from the hospital where his mom was and said he needed to come see her so he left and was pulled over. He was working for Kindred; a new administrator came in and started changing staff. He was asked by an employer to change shifts, he said no due to not proper notice time per handbook. The other employer went above him and was told this was not going to work out. A few weeks later he was back at Kindred as PRN. Matter to be seen by full board.

7. Fred Buckley RN Endorsement CBC Hit/Positive Response

Mr. Buckley appeared for his personal appearance regarding his application for licensure. He is currently licensed in the state of Illinois. A year after he finished school he was working out of Chicago. He developed a mutual flirtation with a patient. They kissed and her husband found out and complained to the hospital so the hospital made the complaint to the board. He went through the process with the IL board, he was suspended for a month and placed in probation for 2 years, he was out of the country at the 2 year mark he was able to clean it up 4 years after. His license is currently active. His endorsement is granted and his license to be issued on probation for a year of active practice with quarterly reports.

8. Brandon Janson RN Exam CBC Hit/Positive Response CONTINUED

9. Charles R Fields RN Endorsement CBC Hit/Positive Response

Mr. Fields did not appear for his personal appearance regarding his application for licensure. This matter is to be rescheduled.

10. Abby McKenzie RN Exam Failed 3 times/Graduated 2011

Ms. McKenzie appeared for her personal appearance regarding her application for licensure. She has taken NCELX 3 times and did not pass. She took the Kaplan review in January 2013. She had a 95% probability of passing at that time. She has been doing 50 to 75 questions every day. She is allowed to test. Her license is to be issued free and clear.

11. Christina Wildman RN Exam CBC Hit/Positive Response

Ms. Wildman appeared for her personal appearance regarding her application for licensure. In October 2012, she was arrested for criminal conversion. The matter was dismissed. She was carrying a big bag. She was trying to return a shirt that still had the sensor tag. She had other clothes in the bag because she had changed. She went to court and entered into the diversion program because she didn't have the receipt for the shirt. She had to go to an 8 hour class, which she attended. Her nursing program was made aware of what happened. She is allowed to test and her license is to be issued free and clear.

12. Kathryn Price LPN Exam Graduated 2011

Ms. Price did not appear for her personal appearance regarding her application for licensure. This matter is to be rescheduled

13. Brook Janes RN Exam Failed 3 times/Graduated 2009

Ms. Janes did not appear for her personal appearance regarding her application for licensure. This matter is to be rescheduled.

14. Chad Howell LPN Endorsement Positive Response

Mr. Howell appeared for his personal appearance regarding his application for licensure. He has an active license in Ohio. He has had license since 1999. He has an alcohol problem but didn't realize it. He had barbaric surgery and didn't realize the effects on drinking. He ended up with alcohol positioning. He went on his own to get help. He has no legal history. He needs to have an ISNAP evaluation. He is allowed to endorsement after ISNAP evaluation. If he meets criteria for an RMA his license will be placed on probation for the length of his RMA. If he does not meet criteria then his license is to be issued free and clear.

15. David Mudd RN Exam CBC Hit/Positive Response

Mr. Howell appeared for his personal appearance regarding his application for licensure. He has an active license in Ohio. He has had license since 1999. He has an alcohol problem but didn't realize it. He had barbaric surgery and didn't realize the effects on drinking. He ended up with alcohol positioning. He went on his own to get help. He has no legal history. He needs to have an ISNAP evaluation. He is allowed to endorsement after ISNAP evaluation. If he meets criteria for an RMA his license will be placed on probation for the length of his RMA. If he does not meet criteria then his license is to be issued free and clear.

B. Appearances by Applicants for Renewal

1. Jennifer Fromm LPN Renewal Positive Response/Previously Denied Renewal

Ms. Fromm appeared for her personal appearance regarding her application for renewal. She had been working at facility for 3 and a half year. The facility went through 3 DONs. The 3rd DON started firing people right away. She was terminated because she didn't let a family member know that a resident's teeth getting pulled. She had informed the family members and accused her of leaving meds out. She did not leave the meds out. She has not worked since 2010. Her license is to be renewed free and clear.

2. Amber L. Boesel LPN Renewal Failed to Complete Renewal Form

Ms. Boesel appeared for her personal appearance regarding her application for renewal. She has not worked since her license expired. Her license is to be renewed free and clear.

3. Leonora Francis RN Renewal Positive Response

Ms. Francis did not appear for her personal appearance regarding her application for renewal. Her application for renewal is denied.

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Nursing adjourned at 5:55 p.m.

Constance McIntosh, R.N., President

Date

Karen Dolk, R.N., Secretary

Date