

INDIANA STATE BOARD OF NURSING

INDIANA GOVERNMENT CONFERENCE CENTER
AUDITORIUM
302 WEST WASHINGTON STREET
INDIANAPOLIS, INDIANA 46204

MINUTES OF OCTOBER 16, 2003

Laurie Peters, R.N., President, called the meeting to order at 8:30 a.m. and declared a quorum in accordance with IC 25-23-1-5.

Members Present: Laurie Peters, R.N., President
Mervin Helmuth, R.N., Vice President
Janis Shook, L.P.N., Member
Carolyn Slagle, R.N., C.N.S., Member
Maurene Thomas, R.N., Member
Laurel Valentino, R.N., Member

Member Absent: Darla Jones, L.P.N., Secretary
Traci Little, Consumer Member

Staff Present: Kristen Kelley, Board Director
Health Professions Bureau
Jody Edens, Assistant Director
Health Professions Bureau
Gordon White, Deputy Attorney General
Office of the Attorney General

The Board voted to adopt the agenda and addendum as amended.

Helmuth/Thomas, 6/0/0

The Board voted to accept the minutes of the September 18, 2003, meeting as amended.

Helmuth/Slagle, 6/0/0

INDIANA STATE NURSES ASSISTANCE PROGRAM

Donna Goch, Program Director of the Indiana State Nurses Assistance Program (ISNAP) was present. Donna gave the Board a copy of the ISNAP Quarterly Report. She reported that there are a total of 345 nurses being actively monitored. Donna informed the Board that there were 14 successful completions. Ms. Goch and the Board briefly discussed pain management. Ms. Goch indicated to the Board that Methodist has a good pain

management program. Jim Riser is the Program Director for the pain management program at Methodist. He indicated that he would be available to meet and discuss the issues with the Board. The meeting will occur at 8am during the November 2003 Board meeting. Ms. Goch addressed the students regarding the program.

RULE HEARING

Revisions in the Advanced Practice Nurse Prescriptive Authority Rule LSA #03-34

The rule is being revised to allow Advanced Practice Nurses (APN) who hold or held prescribing in other states to be granted prescriptive authority in Indiana under an endorsement clause. Many of these practitioners could not meet the pharmacology course requirement for prescriptive authority, which requires that the applicant has attended a pharmacology course with the last 5 years. This revision permits APNs to be granted prescriptive authority by endorsement by submitting proof of the following:

- a. a master's level pharmacology course;
- b. at least 8 hours of continuing education in pharmacology, 2 years prior to the date of their application; and
- c. prescriptive authority in another state.

In addition, for APNs coming to Indiana from a Compact state, the rule revision allows an APN to receive prescriptive authority if they have a registered nurse license in another Compact (multi-state licensure) state and meet the Indiana requirements for prescriptive authority.

Finally, this rule revision includes language to implement changes to the Nurse Practice Act that took effect on July 1, 2003, as a result of language included in HEA 1437. The rule now requires APNs to submit a copy of their current collaborative agreement in order to renew their prescriptive authority privileges.

Public Participation: Testimony was received from Marcia Plant Jackson who represented the Coalition of Advanced Practice Nurses. Ms. Jackson testified in favor of the proposed rules.

Written comments were received from Ernest Klein, CAE, Indiana State Nurses Association, which are included with the supporting documentation. The board considered Mr. Klein's comments during deliberations on the proposed rules and determined that the rules as proposed address Mr. Klein's concerns.

No other persons testified either in favor of or against the proposed rules.

The Board adopted the following technical amendments to 848 IAC 5-1-3 to update the notice requirements in conjunction with the implementation of the on-line renewal process.

848 IAC 5-1-3(b): Following “(b)”, delete “An application form” and insert “A notice of expiration”.

848 IAC 5-1-3(d): Following “(d)”, delete “Applications” and insert “The notice of expiration”.

Peters/Slagle, 6/0/0

DISCUSSION

Robin Regan RE: Request for licensure – Respondent was not present, and was not represented by counsel regarding this request. Ms. Regan informed the Board that she attended St. Elizabeth School of Nursing and has completed two (2) years of a three (3) year LPN program. She is requesting to take the LPN Boards. After discussion, the Board moved to DENY her request to take the Boards as the law specifically states that you must have completed a PN program, in order to be licensed as a PN.

Peters/Helmuth, 6/0/0

In the Matter of Staci Jo Price, License No. 28109656A, Cause No. 2003 NB 0104 RE: Motion for Relief from Judgment Pursuant to Trial Rule 60B

Gordon White, Deputy Attorney General explained to the Board Ms. Price’s request. She was placed on Summary Suspension at last month’s Board meeting. He indicated that she is objecting to certain wording in the Summary Suspension Order. She is requesting that the Order be rewritten to remove all of the facts, as no evidence was presented as the hearing since she agreed to the Summary Suspension. Sara Matticks, Deputy Attorney General, indicated to the Board that she does not object to rewriting the Order. After discussion the Board moved to request Ms. Matticks to AMEND the verbiage of the Summary Suspension Order.

Peters/Helmuth, 6/0/0

Correspondence from Gabrielle Schmidt, LPN RE: Request for clarification regarding probation order

Ms. Schmidt indicated to the Board that she is having difficulties finding University courses as indicated in her Probation Order. After discussion the Board moved to accept Continuing Education courses in lieu of the College courses.

Peters/Helmuth, 6/0/0

EDUCATION

Update on Education Subcommittee – Ms. Peters informed the Board that the subcommittee has completed a revision of the education rules. She informed the Board

that the annual report template is also in the process of being revised. The Subcommittee will meet again in December to review the template draft and finalize the draft of the education rules for the Board review.

Article – Educational Levels of Hospital Nurses & Surgical Patient Morality – FYI

Article – America Association of Community Colleges – Rebuttal to the above article – FYI

Indiana State University – LPN/BSN proposal – Dr. Bonnie Saucier addressed the Board regarding this proposal. She indicated to the Board that the BSN track would allow an LPN to complete a BSN degree in a three (3) year time period. She indicated that the first (1st) year includes transition courses and the second (2nd) year the student moves along with the rest of the students in the program. She also informed the Board that this does not add any new courses that haven't already been approved and that the student must be a licensed in the United States as an LPN to be eligible for the transition program. After discussion the Board voted to APPROVE the proposal.

Peters/Slagle, 6/0/0

Ball State University – BSN curriculum changes – Nancy Dillard, DNS, RN, Program Chair, addressed the Board regarding the requested curriculum changes. She indicated to the Board that the changes included revised goals and philosophy of nursing and an updated mission statement. After discussion the Board moved to APPROVE the curriculum changes.

Helmuth/Thomas, 6/0/0

Bethel College – relocation of nursing program - The Board requested a clarification of this request. They requested more information on where the clinical settings will be and want to know why they are relocating. The Board moved to TABLE this matter until further information is received.

CONSENSUS

Olympia College – RE: Program Director – Ms. Peters informed the Board that she has spoken with Mary Kleinfelter at Olympia College concerning this matter. She informed the Board that the program has not had a program director for at least six (6) months. Ms. Kleinfelter informed her that they have spent thousands of dollars on advertising and have not gotten a master's prepared candidate. Ms. Peters requested that this matter be scheduled on the November 2003 meeting agenda. A survey visit is also scheduled for December 5, 2003 with Ms. Peters as the surveyor.

ADMINISTRATIVE HEARINGS

The following hearings were continued.

Jackie D. Nix, LPN, License No. 27035847A, Cause No. 2003 NB 0033
Donna Jean Craig, RN, License No. 28113760A, Cause No. 2002 NB 0089

Let the record reflect that Mervin Helmuth left the meeting to conduct personal appearances.

Jacqueline Fralev McQueary, LPN, License No. 27034782A, Cause No. 2002 NB 031

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Donna Goch was sworn in as a witness for the State. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Shook, 5/0/0

At the request of the Board, Shelley Johnson, Deputy Attorney General submitted additional evidence for the Board to consider an unscheduled summary suspension. Ms. Goch indicated to the Board that the Respondent was non-compliant due to missing urine drug screens and a recent DUI charge. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Slagle/Thomas, 5/0/0

Jason Lance Riley, LPN, License No. 27040346A, Cause No. 2002 NB 0090

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Shook, 5/0/0

Mr. Wong informed the Board that the Respondent was ordered by the Board to contact ISNAP by May 17, 2003 and at this time has not do so. After discussion the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety days.

Peters/Valentino, 5/0/0

Rebecca Carty, LPN, License No. 27044323A, Cause No. 99 NB 015

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent's ISNAP contract was closed in September 2003 due to non-compliance. She diverted narcotics from her employer. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Shook, 5/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year.

Peters/Slagle, 5/0/0

Ronda Beth Gardner, RN, License No. 28106469A, Cause No. 2002 NB 0093

Respondent appeared in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Donna Goch was sworn in as a witness for the State. Due to Probation violation the Respondent was required to contact and sign a contract with ISNAP. Ms. Goch indicated that they sent the contract to the Respondent in May 2003, but at this time they have not received it back. The Respondent indicated to the Board that she received the contract on June 11, 2003 as she was leaving for vacation with her family. She elected to wait and review the contract when she returned from vacation. She told the Board that she signed and mailed to contract back to ISNAP on June 23, 2003. The copy of the contract she presented to the Board did not have a notary signature or seal. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of sixty (60) days and ordered the Respondent to sign a contract with ISNAP within the sixty (60) day Suspension. After the sixty (60) day Suspension is completed, the Board ordered the INDEFINITE PROBATION for a period of two (2) years be automatically resumed.

Peters/Valentino, 3/2/0, with Ms. Thomas and Ms. Slagle opposing

Donna Marie Hawkins, LPN, License No. 28106469A, Cause No. 2003 NB 0074

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Ms. Matticks informed the Board that the Respondent was arrested on Wednesday, October 15, 2003. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Slagle, 5/0/0

Let the record reflect that Mervin Helmuth returned to the meeting.

Nikki Lynn Wagoner, LPN, License No. 27043557A, Cause No. 2002 NB 0091

Respondent did appear in person and was represented by Dick Kiefer concerning a Hearing to Renew Summary Suspension scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Mr. Kiefer informed the Board that during a Jury Trial on 9/24/03 the Respondent was acquitted due to lack of evidence. The acquittal states “no evidence presented to indicate the Nurse did anything wrong”. The Judge signed the acquittal. Her place of employment fully supports the Respondent and will reinstate her employment as soon as her license is reinstated. After having considered the evidence presented the Board moved to lift the Suspension and REINSTATE the Respondent’s license.

Peters/Shook, 5/0/1, with Mr. Helmuth abstaining

Sue E. Russell, LPN, License No. 27040635A, Cause No. 2002 NB 0092

Respondent did appear in person and was represented by Dick Kiefer concerning a Hearing to Renew Summary Suspension scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Mr. Kiefer informed the Board that during a Jury Trial on 9/24/03 the Respondent was acquitted due to lack of evidence. The acquittal states “no evidence presented to indicate the Nurse did anything wrong”. The Judge signed the acquittal. Her place of employment fully supports the Respondent and will reinstate her employment as soon as her license is reinstated. After having considered the evidence presented the Board moved to lift the Suspension and REINSTATE the Respondent’s license.

Peters/Shook, 5/0/1, with Mr. Helmuth abstaining

Carolyn Osman Phillips, LPN, License No. 27048259A, Cause No. 2003 NB 0077

Respondent did not appear in person and was not represented by counsel regarding a Settlement Agreement scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. A settlement agreement between the Respondent and the Attorney General’s Office was presented to the Board by Barclay Wong, Deputy Attorney General. The settlement included INDEFINITE SUSPENSION for a period of five (5) years. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

Peters/Shook, 6/0/0

Tina Marie Poe, RN, License No. 28106565A, Cause No. 2002 NB 0077

Respondent did appear in person and was not represented by counsel regarding a Request to Reinstate scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Salli Christenson was sworn in as a witness for the Respondent. Ms. Christenson indicated to the Board that the Respondent is in compliance with her ISNAP contract and that they are supportive of her license being reinstated. Ms. Poe told the Board that she talks to a Sponsor daily and goes twice weekly to a Therapists. She also attends support group meetings. Her sobriety date is May 16, 2002. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on INDEFINITE PROBATION for the length of her ISNAP contract.

Helmuth/Shook, 6/0/0

Michele R. Weems, RN, License No. 28106460A, Cause No. 2003 NB 0117

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Miles Collins, Salli Christenson, and William Norman were sworn in as witnesses for the State. Mr. Collins is a security officer with Community Hospital. Mr. Collins told the Board that he saw the Respondent injecting herself with medication. She lost consciousness, an ambulance was called and she was admitted to the Psych unit at the Hospital. The substance she injected was Diprivan. Mr. Norman, Security Consultant reviews all incident reports and determines what action if any to take. The Respondent admitted to him that she took the Diprivan and injected it. She told him that she suffers from deep depression and wanted to get away from those feelings. He also told the Board that while the Respondent was in the Psych holding area she stole a needle and stuck herself in the neck, trying to bleed herself out. Ms. Christenson told the Board that the Respondent's contact with ISNAP was closed September 2003 for extreme lack of compliance. She also told the Board that she feels the Respondent is a clear and immediate danger to the public health and safety if allowed to continue to practice. After having considered the evidence presented, testimony of the witnesses and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 6/0/0

Let the record reflect that Maurene Thomas left for the day.

Jennifer S. Hartman, LPN, License No. 27049038A, Cause No. 2003 NB 0097

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Koula Tsahaf and Carla Cox were sworn in as witnesses for the State. Koula Tsahaf, St. Catherine's Hospital, informed the Board that she runs Sure-

med reports for accuracy. The reports show the time of the withdrawal, the amount withdrawn, if a Physician prescribed it, and which Nurse withdrew the medication. She indicated that the Respondent's Sure-med reports indicated several discrepancies. The Respondent was terminated in April 2003 for possible diversion. Carla Cox, Division Director at Porter Memorial Hospital indicated that the Respondent was terminated from the Hospital on June 2, 2003 for possible diversion. The Respondent's Pixus reports also indicated discrepancies in the withdrawals. The Respondent indicated to the Board that she has had three (3) urine drug screens since her termination at St. Catherine's Hospital and all have been negative. After having considered the evidence presented, testimony of the witnesses, and taking official notice of its file in this matter the Board moved to place the Respondent's license on INDEFINITE SUSPENSION until she received an evaluation from ISNAP and if deemed necessary she must sign a contract with ISNAP. The Board also ordered the Respondent to attend either a CE course or a one (1) day In-service training on Med Administration and Documentation/Charting.

Peters/Helmuth, 5/0/0

Stephen Edward Morris, RN, License No. 28134771A, Cause No. 2003 NB 0112

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Donna Goch was sworn in as a witness for the State. Ms. Goch testified that the Respondent's contract was closed due to non-compliance. The Respondent has a DUI in Vigo County and has also been charged with Domestic Battery. Evidence was presented that indicated the Respondent battered his wife, who was forced to leave their home and hide in a cornfield. The Respondent was also charged with Battery resulting in Bodily Injury. He knocked down his four (4) year old son. He has also violated a no contact order. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 5/0/0

David Leroy Thelen, RN, License No. 28082874A, Cause No. 2003 NB 0085

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Mr. Thelen requested to surrender his license to the Board. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the SURRENDER of the Respondent's license and ordered that the Respondent must receive a Psychiatric evaluation before requesting reinstatement.

Peters/Helmuth, 5/0/0

Roxy Lou Hall, RN, License No. 28057888A, Cause No. 2003 NB 0079

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing and Application for Renewal of License scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. An agreement between the Respondent and the Attorney General's Offices was presented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The settlement included INDEFINITE PROBATION for a period of one (1) year. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Helmuth/Slagle, 5/0/0

Jeanne Mary Sims, RN, License No. 28108844A, Cause No. 2003 NB 0084

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent was terminated from her place of employment and later renewed her RN license. She answered all questions 'No' on her renewal application, therefore committing renewal fraud. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Slagle, 5/0/0

Steven H. Ward, RN, License No. 28129192A, Cause No. 2003 NB 0114

Respondent appeared in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Donna Goch was sworn in as a witness for the State. The Respondent admitted to diverting Dilaudid from Methodist Hospital. His Primary Care Physician has prescribed Ambian/Klonipin for the Respondent. The Respondent has not informed his PCP about his addiction. Ms. Goch indicated that since ISNAP is an absence-based program they have closed the Respondent's contract because he would not wean himself off the Ambian/Klonipin. The Respondent indicated to the Board that he attends three (3) AA/NA meetings per week. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Helmuth/Valentino, 5/0/0

Sabrina Ramirez, RN, License No. 28123031A, Cause No. 2003 NB 0080

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Ms. Sinn indicated to the Board that the Respondent has requested a

continuance and the State agrees. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the Continuance of this matter.

Peters/Helmuth, 5/0/0

Charlotte E. Blevins, LPN, License No. 27027784A, Cause No. 2003 NB 0069

Respondent did not appear in person and was not represented by counsel regarding a Pre-hearing Conference scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to CONTINUE this matter.

Peters/Helmuth, 5/0/0

Brenda Sue Russell, RN, License No. 28121645A, Cause No. 2003 NB 0099

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Bruce Curry and Detective Tom Bates were sworn in as witnesses for the State. Vanessa Atkinson, RN and Cynthia Defore, RN, were sworn in as witnesses for the Respondent. Mr. Curry testified that an investigation concerning Ms. Russell was initiated at the Plainfield Correctional Center for possible inappropriate conduct with an inmate. It was found that the Respondent obtained a Post Office Box address so that she and offender K could write back and forth to each other. Offender K indicated to Mr. Curry that the Respondent also exposed herself to him and that they had sexual relations. Mr. Curry also informed the Board that the Respondent's husband informed him that she was contacting another inmate and that she has sent him a family picture that included their children. The particular inmate was incarcerated for child molestation. They did find the picture and letters that the Respondent had sent to inmate JR. Mr. Curry told the Board that the Correctional facility "closed the gate" on Ms. Russell, which means she is not allowed back on the grounds or into the facility. Detective Bates testified that he interviewed the Respondent and she admitted having sexual intercourse with offender K. Ms. Russell admitted to the Board that she did do these things but only because she was off of her Bi-Polar medicine. She was been charged with two (2) counts of a D Felony. She received a one (1) year suspended sentence and one (1) year criminal probation, which ends March 2004. The terms of her criminal probation include community service, no alcohol and no contact with the offenders. Ms. Atkinson testified that the Respondent was previously employed at her facility before the Summary Suspension and indicated to the Board that the Respondent is an excellent employee. The Respondent has informed the facility of the situation. She also indicated that she would be willing to have a constant monitor for the Respondent should she be allowed to resume her Nursing career. Ms. Defore indicated to the board that she has been a friend to the Respondent for thirteen (13) years. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on INDEFINITE

SUSPENSION for a period of one (1) year and ordered to Respondent to receive a Psychiatric evaluation from a Board Certified Psychiatrist before she may petition for reinstatement.

Peters/Helmuth, 5/0/0

Debra Lou Davis, LPN, License No. 27034432A, Cause No. 2003 NB 0072(A)

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by Kate Sinn, Deputy Attorney General. The settlement included a LETTER OF REPRIMAND. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY the agreement. The Board further stated that they wish to see continuing education classes in the agreement.

Peters/Jones, 5/0/0

Jacqueline S. Sissel, RN, License No. 28125708A, Cause No. 2003 NB 0082

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by Kate Sinn, Deputy Attorney General. The settlement included INDEFINITE PROBATION for a period of three (3) years and ordered the Respondent to receive counseling two times per month. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY the agreement.

Peters/Slagle, 5/0/0

Debra Ann Cardenas, LPN, License No. 27041881A, Cause No. 2003 NB 0078

Respondent did not appear in person and was not represented by counsel regarding a Settlement Agreement scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by Barclay Wong, Deputy Attorney General. The settlement included INDEFINITE SUSPENSION for a period of five (5) years. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement.

Peters/Helmuth, 5/0/0

Sharon Lynn Vick, LPN, License No. 27034478A, Cause No. 2003 NB 0118

Respondent did appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent was arrested in Clark County for possession of Darvocet, Marijuana and Paraphernalia. The charges were reduced to possession of Marijuana and Paraphernalia and the Respondent was placed on criminal probation. On September 26, 2003 the Respondent was arrested for public intoxication while she was on criminal probation. She told the Board that she had drank 4-5 Beers. The Respondent informed the Board that she attends three (3) AA meeting per week, one (1) Drug and Alcohol class per week and sees her probation officer once a week. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days and ordered the Respondent to receive an examination by a Board certified addictionologist and send a copy of the report to the Board.

Slagle/Shook, 5/0/0

Linda Gail Hall, LPN, License No. 27021822A, Cause No. 2003 NB 0087

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Tina Richards, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. A settlement agreement between the Respondent and the Attorney General's Office was submitted to the Board by Tina Richards. The settlement included INDEFINITE PROBATION for a period of three (3) years and ordered the Respondent to be evaluated and sign a contract if deemed necessary within thirty (30) days. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement with the provision that section's C and G are taken out of the agreement.

Peters/Helmuth, 5/0/0

Wayne F. Poland, RN, License No. 28131303A, Cause No. 2003 NB 0119

Respondent did not appear in person and was not represented by counsel regarding a Petition for a Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Respondent was arrested in the State of Louisiana and charged with forty (40) counts of rape involving two (2) Children ages 12 and 14 years old. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondents license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 5/0/0

Barry A. Weber, RN, License No. 28151359A, Cause No. 2003 NB 0115

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Detective Scott Campbell, LPN, Andrea Props and Bryan Hanson were sworn in as a witnesses for the State. Detective Campbell testified to the Board that the Respondent has been charged with nine (9) counts of Dealing and Possession of a Controlled Substance. Detective Campbell also informed the Board that the Respondent was a passenger in a vehicle that was stopped for a routine traffic stop and the Officer found multitudes of narcotic's in the car. The Officer then called Detective Campbell due to the high number of narcotic's found. Some of the contents found were 48 tablets of Ecstasy, 3 tablets of Darvocet, 3 tables of Methadone, 11 grams of Ketamine, 47 tables of Amphetamines, 2 tablets of Ritalin and 1 Valium. The Respondent was also found to have \$1,300 - \$1,500 cash on him. The also found a recipe for GHP (date rape drug). Andrea Props, Deputy Prosecutor in Marion County testified to the Board that charges were filed against the Respondent on April 20, 2003 and he will have a jury trial on December 3, 2003. Bryan Hanson testified to the Board that the Respondent was sent to the lab at St. Francis Hospital for a urine drug screen on May 14, 2003. Due to his unusual behavior a drug screen was requested. The Respondent fell asleep in the waiting room once awake could not follow directions. The Respondent left without giving a urine sample therefore it was marked as a refusal. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 5/0/0

James F. Spralding, RN, License No. 28117785A, Cause No. 2003 NB 0116

Respondent did appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Detective Scott Campbell, LPN, and Andrea Props were sworn in as a witnesses for the State. Detective Campbell testified to the Board that the Respondent has been charged with nine (9) counts of Dealing and Possession of a Controlled Substance. Detective Campbell also informed the Board that the Respondent was driving a vehicle that was stopped for a routine traffic stop and the Officer found multitudes of narcotic's in the car. The Officer then called Detective Campbell due to the high number of narcotic's found. Some of the contents found were 48 tablets of Ecstasy, 3 tablets of Darvocet, 3 tables of Methadone, 11 grams of Ketamine, 47 tables of Amphetamines, 2 tablets of Ritalin and 1 Valium. The Respondent was also found to have \$1,300 - \$1,500 cash on him. The also found a recipe for GHP (date rape drug). Andrea Props, Deputy Prosecutor in Marion County testified to the Board that charges were filed against the Respondent on April 20, 2003 and he will have a jury trial on December 3, 2003 in conjunction with Barry Weber. Ms. Props also testified that the Respondent was in a pretrial release program and was recently picked up for not providing the required urine drug screens. He went before the Judge and was given one

more chance to comply with the pretrial release program. The Respondent told the Board that he is currently on Adderal and Valium as prescribed by his Physician. He also informed the Board that he was evaluated by ISNAP and it was determined that he does not have an addiction. However, he has signed a contract with ISNAP in which he does monthly urine drug screens and goes to AA/NA meetings monthly. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Slagle, 4/0/1, with Mr. Helmuth abstaining

Amy Rebecca Simpson, LPN, License No. 27032791A, Cause No. 2003 NB 0059

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent practiced without a valid license for a period of six (6) months. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Shook, 5/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year.

Peters/Slagle, 5/0/0

Sheryl Suzanne Alvis, RN, License No. 28056005A, Cause No. 2003 NB 0014

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent is non-compliant with the terms of her Probationary order. She has not submitted to any urine drug screens as ordered. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Slagle, 5/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of two (2) years.

Helmuth/Slagle, 5/0/0

PERSONAL APPEARANCES

EXAMINATION APPLICANTS – The following people appeared before Board member Mervin Helmuth, RN. The information was presented to and approved by the full Board.

Steveo Kecman, Jr. – Applicant appeared in person and was not represented by counsel regarding a positive response on his examination application. He has had two (2) DUI's and drinks 3-4 times per month, usually having 5-6 Beers each time he drinks. The Board moved to TABLE this application and requested Mr. Kecman to obtain an evaluation from ISNAP.

Slagle/Shook, 5/0/0

Richard Robinson – Applicant appeared in person and was not represented by counsel regarding a positive response on his examination application. Mr. Robinson was charged with Battery. He submitted a letter of support from his current employer and proof that he has completed anger management. He indicated that he got involved with these disputes when he was off of his medication. He is applying to take the LPN Board, but is also enrolled in an RN program. The Board moved to APPROVE the applicant to take the examination and to become licensed upon successful completion.

Slagle/Shook, 5/0/0

Rick Lee Barrett – Applicant appeared in person and was not represented by counsel regarding a positive response on his examination application. Mr. Barrett was arrested for a DUI in 1995. In 1998 he violated a restraining order and in 2001 was charged with reckless operation of a motor vehicle. He was order to go to alcohol education classes because he refused to take a breathalyzer test. He no longer drinks and hasn't for the past two (2) years. The Board moved to APPROVE the applicant to take the examination and to become licensed upon successful completion.

Slagle/Shook, 5/0/0

ENDORSEMENT APPLICANT

Rebecca Estes, LPN – Applicant appeared in person and was not represented by counsel regarding a positive response on her endorsement application. Ms. Estes has had two (2) DUI's. The first DUI occurred 9-10 years ago and the second in 2001. She told the Board that she has not had a drink since March 2002. Her Kentucky license is on Probation for three (3) years. The applicant agreed to INDEFINITE PROBATION. She may request to have the Probation withdrawn after completing her Kentucky probation.

Slagle/Shook, 5/0/0

RENEWAL APPLICANTS

The following renewal application was continued.

Shannon Bischoff, RN, License No. 28156044A

Peggy Bisig, RN, License No. 28077608A – Approved for renewal and refer to the AG’s office for an investigation.

Tammi Mock, RN, License No. 28147578A – Tabled and referred to ISNAP for an evaluation.

Ruby Panyako, RN, License No. 28061599A – Approved for renewal and refer to the AG’s office for an investigation.

Lori Hockenberry, RN, License No. 28100297A – Applicant did not appear but sent a letter to the Board. Based on the letter the Board Approved for renewal.

Helen Ruth Maurer, RN, NP, Authorization No. 71000265A – Did not appear.

Dane Charles Meyer, RN, License No. 28150975A – Did not appear.

Robert Lee Breeze, RN, License No. 28150404A – Did not appear.

Dorothy Smith, LPN, License No. 27031806A – Tabled and referred to ISNAP for an evaluation.

APPLICATIONS

ENDORSEMENT APPLICANT

Natalie Lafaye Rimpson, RN – Ms. Rimpson’s application was submitted to the Board for review because she did not answer positive on any of the questions and yet her license has been Reprimanded in the State of Mississippi. She was Reprimanded because she was found guilty of simple assault. The Board moved to APPROVE the applicant for licensure.

Peters/Helmuth, 5/0/0

ADMINISTRATIVE LAW JUDGE RECOMMENDATION

The Board approved the ALJ recommendation submitted by Celinda Kay Leach, R.N. from the August 5, 2003 hearings for Aaron Rodger, LPN.

Peters/Shook, 5/0/0

There being no further business the meeting adjourned at 8:30 p.m.

Laurie Peters, R.N., President

Darla Jones, L.P.N., Secretary