

INDIANA STATE BOARD OF NURSING

met on
Thursday, July 21, 2011
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.

Mr. Burghduff, L.P.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 Building, 302 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-23-1-5(b).

Board Members Present:

Jerry Burghduff, L.P.N., President
Constance McIntosh, R.N., Secretary
Marcia Laux, R.N., Member
Natalie Hall, R.N., Member
Karen Dolk, R.N., Member
Holly Presley, L.P.N., Member
Scott Johns, C.R.N.A., Member

Board Members Absent:

Lynda Narwold, R.N., Member
Anne Ogle, Consumer Member

State Officials Present:

Elizabeth Kiefner Crawford, Board Director, Indiana Professional Licensing Agency
Lori Grice, Assistant Board Director, Indiana Professional Licensing Agency
Lisa Chapman, Litigation Specialist, 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/McIntosh 7-0-0

III. ADOPTION OF THE MINUTES FROM THE JUNE 16, 2011 MEETING OF THE BOARD

A motion was made and seconded to adopt the June 16, 2011 nursing board minutes with minor corrections.
McIntosh/Laux 6-0-1 (Johns abstained)

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM

Mr. Lindquist reported that quarterly provider meeting is set for July 29th at Tara Treatment Center. The current ISNAP newsletter was presented to the Board. The newsletter contains a description of new drugs are being abused. ISNAP's fundraiser for their Needs Assistance Fund is tentatively set for September 2011. ISNAP has teamed with the IUPUI School of Nursing to allow a study of impaired nurses.

V. EDUCATION

A. FYI- Effective 7/1/11, Brenda J. Srof, Ph.D. will assume the role of Department Chair and Vicky S. Kirkton, M.A. will continue as Director of Undergraduate Nursing Programs at Goshen College

B. FYI- Effective November 2011, Kaplan College Indianapolis NW PN Program will change their admission testing vendor to Kaplan Test Prep from Health Education Systems, Inc.

C. FYI- Effective June 24, 2011, ITT Technical Institute Merrillville has hired Jennifer Philbin as the Program Chair of the Associate of Science Degree in Nursing.

D. FYI- Effective June 22, 2011 all ITT Technical Institute AN Programs are offered through the Breckinridge School of Nursing rather than the School of Health Sciences.

E. FYI- Current site visits scheduled for July and August 2011:

1. Chamberlain College- Indianapolis (Initial Accreditation) July 22, 2011
2. Western Governors University- Indianapolis (Initial Accreditation) August 2, 2011

VI. DISCUSSION

- A. Correspondence from Dr. E. Ramsey Burton, Jr., D.M.D. The Board heard a presentation from Dr. Burton that he would like to be able to allow dentists added to IC § 25-23-1-30. The Board indicated that this will require a legislative change.
- B. Correspondence to The Indianapolis Star re: Salute to Nurses Event
- C. Status of OAG Report pursuant to IC § 25-1-7-13 (Note. Gabrielle Owens will be present at 1:30 pm to discuss these reports.) Gabrielle Owens appeared before the Board to give a report regarding the status of the OAG's work with the Board. Ms. Owens indicates that internal changes have been made within the OAG to get individuals who are closed out of ISNAP before the Board in a more expedient manner. The Board requested reports on a quarterly basis which will include a statistic regarding the age of complaints.

VII. BOARD DIRECTOR REPORT

Crawford informed the Board that the ISNAP contract has been successfully negotiated and will extend through July 2012. The language in the contract strengthens the Board's position in several ways. ISNAP will now utilize the INSPECT program for all nurses in the program; ISNAP will report anyone closed out for non-compliance to both the Board and the OAG; and ISNAP will report anyone they are aware of that is convicted of a crime to the Board.

The Board discussed the RN renewal process and voted to have a question added regarding the OIG exclusionary list (McIntosh/Burghduff 7-0-0) and to add questions regarding DEA investigation and criminal matters involving drugs added to the CSR renewal for RN's (Laux/Hall 7-0-0). This year's RN renewal will be a part of the Nursing Focus magazine. Email notification of the RN renewal window will take place. Those RN's who do not have an email address will receive a postcard directing them to renew online or print a copy of the blank renewal form which will be available on the Board's website. Pursuant to a new law that just went into effect, those nurses who do not renew by October 31, 2011, will receive a postcard notification that their license is expired.

Next month's agenda will look a little different as all of the pre-hearing settlement conferences will be moved to their own section. The Board held a discussion on when it is necessary to conduct site visits for nursing programs. Site visits will be conducted for initial accreditation, for evaluation of effectiveness of a Board accepted plan of correction and for those schools on conditional accreditation. Board members who conduct site visits will be reimbursed fifty dollars for preparation, fifty dollars the day of the site visit, and fifty dollars for report preparation. Separate travel vouchers will be kept for education related activities so that these costs may be tracked separately.

Personal appearances will increase as the RN renewal window opens. The Board will likely see a full day of ALJ personal appearances scheduled from September through December.

VIII. PERSONAL APPEARANCES

8:45 a.m.

Laux served as the ALJ for personal appearances on this date. She was accompanied by Lori Grice, Assistant Board Director.
Board Action: Laux's recommendations were approved by the full Board except as noted by a vote of 7-0-0 (Burghduff/Hall)

A. Appearances by Applicants for Licensure

1. Juanita Futrell

Ms. Futrell was to appear before the BON regarding her application for licensure by endorsement. She disclosed arrests for forgery, larceny, phone harassment and driving without a license. The personal appearance meeting scheduled for June 16 was rescheduled to July 21 at Ms. Futrell's request. She then requested via fax on 7/7/11 to withdraw her application. The board voted to approve withdrawal of her application.

2. Mariam Obiero

Ms. Obiero appeared before the BON regarding her application for licensure by examination. She has failed the NCLEX exam 4 times previously since finishing her nursing program in 2008. The BON voted to deny her application and she may reapply with formal documentation of proof of 95% or higher probability of passing the NCLEX.

3. Rosalynn Anderson

Ms. Anderson appeared before the BON regarding her application for licensure by endorsement. She did not answer yes to any of the disciplinary questions; however, verification of her IL license indicated that licensed had been disciplined based on felony convictions for theft and substance abuse. The BON voted to deny Ms. Anderson's application.

4. Kara Leavenworth

Ms. Leavenworth appeared before the BON regarding her application for licensure by examination. She reported a DUI in 2007 and a gun possession charge in 1991. She did not report the DUI on her 2008 or 2010 LPN renewals that were completed online. She admits to still drinking occasionally. The BON voted to allow her to test and upon passing, she will be issued a probationary license for 6 months with two quarterly reports her employer.

5. Nicolle Leach

Ms. Leach appeared before the BON regarding her application for licensure by examination. She has taken the NCLEX 6 times previously and failed since finishing her nursing school program in 2008 although she has taken review courses. The BON voted to deny her application and she may reapply with formal documentation of proof of 95% or higher probability of passing the NCLEX.

6. **Megan Dotson**

Ms. Dotson appeared before the BON regarding her application for licensure by examination. She has taken the NCLEX 7 times previously and failed since completing school in 2008. She presented an email from a doctor stating she is taking medication for ADD. The BON voted to deny her application and she may reapply with formal documentation of proof of 95% or higher probability of passing the NCLEX.

7. **Deborah Onan**

Ms. Onan appeared before the BON regarding her application for licensure by endorsement. She reported discipline by the TN BON due to having a personal relationship with a patient. Ms. Onan stated the patient was a 72-year old male and his daughter reported the relationship to the authorities. She received a letter of reprimand by the TN BON. The IN board voted to issue her RN licensure and clear.

8. **Natalie Bynum**

Ms. Bynum appeared before the BON regarding her application for licensure by examination. She has failed the NCLEX 9 times since finishing her nursing program in 1991. She stated she is doing the Hurst review and plans to meet with a private tutor. The BON voted to deny her application. She may reapply with formal documentation of proof of 95% or higher probability of passing the NCLEX.

9. **Jocquel Woolridge**

Ms. Woolridge appeared before the BON regarding her application for licensure by examination. She finished her nursing school program in 2007 and has failed the NCLEX twice in Michigan. The BON recommended that she attend a review course and voted to deny her application and she may reapply with formal documentation of proof of 95% or higher probability of passing the NCLEX.

10. **Snezana Kecman**

Ms. Kecman appeared before the BON regarding her application for licensure by examination. She has failed the NCLEX 9 times since finishing nursing school in 2002. The BON recommended that she attend a review course and voted to deny her application. She may reapply with formal documentation of proof of 95% or higher probability of passing the NCLEX.

11. **Ai Ngoc Thi Phan**

Ms. Phan appeared before the BON regarding her application for licensure by examination. She has failed the NCLEX 11 times since finishing her nursing program in 2001. She admitted that she may have a language barrier. The BON recommended that she attend a review course and voted to deny her application and she may reapply with formal documentation of proof of 95% or higher probability of passing the NCLEX.

12. **Ricardo Sanchez**

Mr. Sanchez appeared before the BON regarding his application for licensure by examination. He reported DUIs in 2000, 2001, and 2002, and residential entry in 2007. It was also noted that his EMT certification was revoked; however, this matter was resolved as the EMT certification had actually expired. The BON voted to allow him to test and he must have an ISNAP evaluation. His license will be issued free and clear.

13. **Courtney Althoff**

Ms. Althoff appeared before the BON on June 16 regarding her application for RN licensure by examination. She reported alcohol abuse issues. It was recommended that she complete an MMPI II assessment, which she did, prior to appearing before the BON today. The BON recommended that she be allowed to test and be issued a probationary license for the length of her RMA pending her evaluation by the ISNAP program. The probationary order will include reports from her employer.

14. **Peter Thornton**

Mr. Thornton appeared regarding his licensure by examination application. He disclosed two misdemeanors in 2007 regarding alcohol. His BAC was .09%. He stated he still drinks "rarely". The BON recommended that he be allowed to test and that his license be issued free and clear.

15. **Tikeshia Ford**

Ms. Ford appeared regarding her licensure by examination application. She reported a charge in 2003 that she bought a firearm and gave it to someone who was not authorized to possess a firearm. She also stated she was charged with possession of marijuana because the same person had marijuana in her house and her children were present. The BON recommended that she be allowed to test and be issued a probationary license for two years with quarterly reports from her employer.

16. **Corinne Moore**

Ms. Moore appeared before the BON regarding her application for RN licensure by examination. She reported a felony conviction in 2001 for stealing money from the bank where she worked. Her pharmacy tech license was placed on probation and she successfully completed three years of probation and home detention. She attended nursing school 2009-2011. The pharmacy tech license is now free and clear. The BON requested that she provide proof of successful completion of her criminal probation and a report from her pharmacy supervisor before being allowed to test. Once these documents are satisfactorily reviewed, she will be made eligible to test and her license will be issued free and clear.

17. **Jordan Stradtner**

Ms. Stradtner appeared before the full BON regarding her application for licensure by examination. She reported two alcohol events in 2006 and 2008 prior to nursing school. The BON recommended that she be allowed to test and must have an ISNAP evaluation. Upon passing, she will receive a probationary license if she is eligible for an RMA. If not, her license will be issued free and clear.

18. **Patrice Harbor**

Ms. Harbor appeared before the BON regarding her application for licensure by examination. She reported an arrest in 2005 for possession of marijuana with intent to distribute for which she served probation for two years. She also reported a termination from her CNA job in Feb. 2011 due to patient care issues. She had write-ups before the termination for being too loud with patients. The BON recommended that she be allowed to test and must have an ISNAP evaluation. She will be issued a probationary license for two years with quarterly reports from her supervisor or self reports as she is currently not working.

19. **Kylie White**

Ms. White appeared before the BON regarding her application for licensure by examination. She reported a 2007 charge for leaving the scene of an accident after she had been drinking at a local bar. This occurred during nursing school. She cited no further incidents of this type. The BON recommended that she be allowed to test and upon passing; her license will be issued free and clear.

20. **Susan Shepherd Smith**

Ms. Smith was scheduled to appear before the BON regarding her application for licensure by endorsement. She reported termination for unauthorized removal of medication from a facility and impaired driving while attempting to return the medication. She requested that her meeting before the BON be rescheduled and the BON granted her request.

B. Appearances by Applicants for Renewal- More than Three Years

1. **Leigh Anne Wiley**

Ms. Wiley was scheduled to appear before the BON regarding renewal of her LPN license that has been expired since 2006. It was recommended that she submit proof of taking a refresher course. There is also a question that she has been working for Dr. Ackerman for the past 10 years but it is unclear what her job duties are there. Due to numerous attempts to schedule the personal appearance meeting and no-shows, the BON recommended denying renewal of her LPN license.

VIII. ADMINISTRATIVE HEARINGS

Note: Joyce Shinault was sworn in as the court reporter for all hearings conducted on this date.

A In the Matter of the License of: Amanda Sanders, L.P.N., License No. 27057888A

Administrative Cause No. 2011 NB 162

Re: Prehearing Settlement Conference

B. In the Matter of the License of: Franklin Conly, R.N., License No. 28092793A

Administrative Cause No. 2011 NB 173

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Thomas McGee, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/McIntosh 5-0-0, Motion carries.

C. In the Matter of the License of: Jill A. Davis, L.P.N., License No. 27026173A

Administrative Cause No. 2011 NB 175

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Thomas McGee, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

McIntosh/Dolk 5-0-0, Motion carries.

D. In the Matter of the License of: Karen Smolenski, R.N., License No. 28184306A CONTINUED

Administrative Cause No. 2011 NB 174

Re: Final Disciplinary Hearing

E. In the Matter of the License of: Joann Bruni, R.N., License No. 28099384A

Administrative Cause No. 2011 NB 172

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/Hall 5-0-0, Motion carries.

- F. In the Matter of the License of: Lestine Rolle, L.P.N., License No. 27047710A** CONTINUED
Administrative Cause No. 2011 NB 171
Re: Final Disciplinary Hearing
- G. In the Matter of the License of: Sally Daggy, R.N., License No. 28053905A** CONTINUED
Administrative Cause No. 2011 NB 170
Re: Final Disciplinary Hearing
- H. In the Matter of the License of: Martha York, R.N., License No. 28069794A** CONTINUED
Administrative Cause No. 2011 NB 169
Re: Final Disciplinary Hearing
- I. In the Matter of the License of: Allison Colbert, R.N., License No. 28156261A** CONTINUED
Administrative Cause No. 2011 NB 168
Re: Final Disciplinary Hearing
- J. In the Matter of the License of: Roy Helmuth, R.N., License No. 28177039A**
Administrative Cause No. 2011 NB 167
Re: Final Disciplinary Hearing CONTINUED
- K. In the Matter of the License of: Rhonda Rubenstein, R.N., License No. 28107959A** CONTINUED
Administrative Cause No. 2011 NB 166
Re: Final Disciplinary Hearing
- L. In the Matter of the License of: Virginia Davis, L.P.N. License No. 27030602A**
Administrative Cause No. 2011 NB 165
Re: Final Disciplinary Hearing
This matter is continued until September for a pre-hearing settlement conference and final hearing.
- M. In the Matter of the License of: Teri Beth Huffman, R.N., License No. 28152717A** CONTINUED
Administrative Cause No. 2011 NB 164
Re: Final Disciplinary Hearing
- N. In the Matter of the License of: Lena Brown, L.P.N., License No. 27056390A** CONTINUED
Administrative Cause No. 2011 NB 163
Re: Final Disciplinary Hearing
- O. In the Matter of the License of: Rhonda McCartt, R.N., License No. 28148119A**
Administrative Cause No. 2011 NB 176
Re: Proposed Settlement Agreement

Parties and Counsel Present:

Thomas McGee, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

McIntosh/Johns 5-0-0, Motion carries.

- P. In the Matter of the License of: John Campbell, R.N., License No. 28141025A** CONTINUED
Administrative Cause No. 2011 NB 177

Re: Final Disciplinary Hearing

Q In the Matter of the License of: Carrie Withey, R.N., License No. 28139760A
Administrative Cause No. 2011 NB 178
Re Final Disciplinary Hearing

CONTINUED

R. In the Matter of the License of: Katrina Horton, R.N., License No. 28153954A
Administrative Cause No. 2011 NB 161
Re: Final Disciplinary Hearing

CONTINUED

S. In the Matter of the License of: Kelly Brown, R.N., License No. 28127415A
Administrative Cause No. 2011 NB 125
Re: Proposed Settlement Agreement

Parties and Counsel Present:

Thomas McGee, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to reject the settlement agreement.

Burghduff/McIntosh 7-0-0, Motion carries.

T. In the Matter of the License of: Teresa Vaught, R.N., License No. 28181408A
Administrative Cause No. 2011 NB 109
Re: Proposed Settlement Agreement

Parties and Counsel Present:

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/Hall 5-0-0, Motion carries.

U. In the Matter of the License of: Charlene Hess, L.P.N., License No. 27052522A
Administrative Cause No. 2011 NB 007
Re: Proposed Settlement Agreement

Parties and Counsel Present:

Laura Wilford, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/McIntosh 5-0-0, Motion carries.

V. In the Matter of the License of: Amy Caraway, R.N., License No. 28062103A
Administrative Cause No. 2011 NB 181
Re: Proposed Settlement Agreement to be presented at August meeting

The Proposed Settlement Agreement in this matter will be presented in August 2011 to the full Board.

W. In the Matter of the License of: Teresa Wisher, R.N., License No. 28134759A
Administrative Cause No. 2011 NB 086
Re: Proposed Settlement Agreement

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to reject the settlement agreement.
McIntosh/Hall 5-0-0, Motion carries.

X. In the Matter of the License of: Kasandra Booher, R.N., License No. 28177133A

Administrative Cause No. 2011 NB 022

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Laura Wilford, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/McIntosh 5-0-0, Motion carries.

Y. In the Matter of the License of: Larry Hardiman, L.P.N., License No. 27100700A

Administrative Cause No. 2011 NB 058

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

McIntosh/Burghduff 5-0-0, Motion carries.

Z. In the Matter of the License of: Keri Hibner, R.N., License No. 28144582A

Administrative Cause No. 2011 NB 183

Re: Prehearing Settlement Conference

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns

Board Action:

A motion was made and seconded to issue a notice of proposed default.

Burghduff/McIntosh 5-0-0, Motion carries.

AA. In the Matter of the License of: Joyce Ann Kline, L.P.N., License No. 27050812A

Administrative Cause No. 2011 NB 184

Re: Final Disciplinary Hearing

CONTINUED

BB. In the Matter of the License of: Chris Marie Heitzman, R.N., License No. 28158327A

Administrative Cause No. 2011 NB 185

Re: Prehearing Settlement Conference

CC. In the Matter of the License of: DeAndrea Bridges, R.N., License No. 28172618A

Administrative Cause No. 2011 NB 186

Re: Final Disciplinary Hearing

CONTINUED

DD. In the Matter of the License of: Sam O'Gonuwe, R.N., License No. 28162580A

Administrative Cause No. 2011 NB 187

Re: Final Disciplinary Hearing

CONTINUED

EE. In the Matter of the License of: Sharon Ward, R.N., License No. 28170898A

Administrative Cause No. 2011 NB 188

Re: Final Disciplinary Hearing

This matter was continued until a later date.

FF. In the Matter of the License of: Lauri Eskildson, L.P.N., License No. 27044604A

Administrative Cause No. 2011 NB 189

Proposed Settlement Agreement

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Presley, Laux

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/Laux 7-0-0, Motion carries.

GG. In the Matter of the License of: Rebecca Eichart Davis, R.N., License No. 28161191A

Administrative Cause No. 2011 NB 094

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Thomas McGee, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/Laux 7-0-0, Motion carries.

HH. In the Matter of the License of: Charles Vincent Woodson, R.N., License No. 28126400A

Administrative Cause 2009 059

Re: Request to Withdraw Probation

Parties and Counsel Present:

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

Charles Vincent Woodson, Petitioner.

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux

Board Action:

Respondent's license was placed on indefinite probation in its order issued in September 2009 and subsequently modified in September 2010. Respondent appeared in person and waived the right to counsel. After a hearing, a motion was made and seconded to withdraw the probation from his license. Burghduff/Laux 6-0-0

II. 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

Parties and Counsel Present:

Thomas McGee, Deputy Attorney General, on behalf of the State of Indiana

Lorie Brown, Counsel for Ms. McDaniel

Lisa Ellen McDaniel

Charles Lindquist, Indiana State Nurses Assistance Program

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The Respondent appeared for an Order to Show Cause in this matter. After a hearing, a motion was made and seconded to modify Ms. McDaniel's probation to require an additional year of complete compliance with ISNAP.

Burghduff/Hall 6-0-1 (McIntosh abstains)

JJ. In the Matter of the License of: Tamara Chantelle Hill, L.P. N., License No. 27058621A

Administrative Cause No. 2010 NB 153

Re: Order to Show Cause

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Bruce Brattain, Counsel for Ms. Hill

Tamara Chantelle Hill

Charles Lindquist, Indiana State Nurses Assistance Program

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The Respondent appeared for an Order to Show Cause in this matter. After a hearing, a motion was made and seconded to issue a letter of reprimand, award costs and payment of the statutory health records fee. Burghduff/McIntosh 6-1-0 (Hall against)

KK. State of Indiana v. Susan A. Batten, R.N., License No. 28104341A

Administrative Cause No. 2001 NB 0057

Re: Order to Show Cause

Parties and Counsel Present:

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

Susan A. Batten

Charles Lindquist, Indiana State Nurses Assistance Program

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Johns, Laux, Presley

Board Action:

The Respondent appeared for an Order to Show Cause in this matter. After a hearing, a motion was made and seconded to place Ms. Batten's license on indefinite suspension, must demonstrate one (1) full year of total compliance with ISNAP prior to applying for reinstatement. Laux/Presley 5-0-1 (Johns abstains)

LL. In the Matter of the License of: Rhonda Reddy, R.N., License No. 28103277A

Administrative Cause No. 2003 NB 0109

Re: Notice of Proposed Dismissal

Board Action: A motion was made and seconded to dismiss this matter. Burghduff/Laux 7-0-0

MM. In the Matter of the License of: Tammy Walker, L.P.N., License No. 27051464A

Administrative Cause No. 2011 NB 091

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Laura Wilford, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Johns, Laux, Presley

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to reject the settlement agreement. Burghduff/Laux 6-0-0, Motion carries.

NN. In the Matter of the License of: Cynthia Peskoe, R.N., License No. 28080800A

Administrative Cause No. 2011 NB 085

Re: Final Disciplinary Hearing

CONTINUED

OO. In the Matter of the License of: Katigan Whitlock, R.N., License No. 28128387A

Administrative Cause No. 2009 NB 185

Re: Final Disciplinary Hearing

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

James Voyles, Counsel for Ms. Whitlock

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

Mr. Voyles requested permission from the Board to withdraw as Ms. Whitlock's counsel. Mr. Voyles indicated that his client was aware of the hearing set for this date and that she was not willing to follow his recommendations. A motion was made and seconded to allow Mr. Voyles to withdraw as counsel Burghduff/Laux 5-0-0. A second motion was made and seconded to issue a Notice of Proposed Default in this matter McIntosh/Burghduff 6-0-0.

PP. In the Matter of the License of: Irene Peck, L.P.N., License No. 27050413A

Administrative Cause No. 2010 NB 120

Re: Proposed Settlement Agreement

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/Dolk 7-0-0, Motion carries.

QQ. In the Matter of the License of: Mark Philpott, R.N., License No. 28176275A

CONTINUED

Administrative Cause No. 2011 NB 010

Re: Final Disciplinary Hearing

RR. In the Matter of the License of: Virginia Streaty, R.N., License No. 28069531A

Administrative Cause No. 2011 NB 013

Re: Final Disciplinary Hearing

Parties and Counsel Present:

Laura Wilford, Deputy Attorney General, on behalf of the State of Indiana

Virginia Streaty, Respondent

Witnesses Present:

Jane Scott, Witness for the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

A complaint was filed in this matter by the State of Indiana. After a hearing, a motion was made and seconded to place Ms. Streaty's license on indefinite probation. Ms. Streaty may not petition to lift the probation for a minimum of six (6) months with the following terms and conditions: (1) Ms. Streaty may not work in home health or hospice; (2) Ms. Streaty must pay a fine of \$250.00; and (3) Ms. Streaty must take three (3) credit hours involving documentation and patient assessment and provide successful proof of completion to the Board. Burghduff/Laux 6-0-1, Motion carries (McIntosh abstains)

SS. In the Matter of the License of: Lynnetta Jenkins, R.N., License No. 28151398A

CONTINUED

Administrative Cause No. 2010 NB 245

Re: Final Disciplinary Hearing

TT. In the Matter of the License of: Kimberly Bohde, L.P.N., License No. 27061903A

Administrative Cause No. 2011 NB 047

Re: Prehearing Settlement Conference

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana requested a Notice of Proposed Default in this matter. A motion was made and seconded to issue a Notice of Proposed Default. Burghduff/Laux 7-0-0

UU. In the Matter of the License of: Ann Wendling, R.N., License No. 28104140A

CONTINUED

Administrative Cause No. 2011 NB 180

Re: Prehearing Settlement Conference

VV. In the Matter of the License of: Joshua Middleton, L.P.N., License No. 27058351A

Administrative Cause No. 2011 NB 079

Re: Prehearing Settlement Conference

WW. In the Matter of the License of: Denise Hummel, R.N., License No. 28163915A

Administrative Cause No. 2011 NB 023

Re: Prehearing Settlement Conference

XX. In the Matter of the License of: Rodney Sosbe, R.N., License No. 28180620A

Administrative Cause No. 2008 NB 022

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/Hall 7-0-0, Motion carries.

YY. In the Matter of the License of: Frederick Nicoulin, R.N., License No. 28149506A

Administrative Cause No. 2011 NB 006

Re: Disciplinary Hearing

CONTINUED

ZZ. In the Matter of the License of: Debra Wagler, R.N., License No. 28134108A

Administrative Cause No. 2011 NB 199

Re: Prehearing Settlement Conference

Parties and Counsel Present:

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana requested a Notice of Proposed Default in this matter. A motion was made and seconded to issue a Notice of Proposed Default. Burghduff/Laux 7-0-0

AAA. In the Matter of the License of: William Hittle, R.N., License No. 28151198A

Administrative Cause No. 2011 NB 205

Re: Prehearing Settlement Conference

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana requested a Notice of Proposed Default in this matter. A motion was made and seconded to issue a Notice of Proposed Default. Burghduff/Laux 7-0-0

BBB. In the Matter of the License of: Dusty Coates, R.N., License No. 28160523A

Administrative Cause No. 2011 NB 017

Re: Disciplinary Hearing

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana requested a Notice of Proposed Default in this matter. A motion was made and seconded to issue a Notice of Proposed Default. Burghduff/Laux 7-0-0

CCC. In the Matter of the License of: Lisa Scarth, L.P.N., License No. 27046263A

Administrative Cause No. 2011 NB 206

Re: Prehearing Settlement Conference

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana requested a Notice of Proposed Default in this matter. A motion was made and seconded to issue a Notice of Proposed Default. Burghduff/Laux 7-0-0

DDD. In the Matter of the License of: Heather Abrams, L.P.N., License No. 27064411A

Administrative Cause No. 2011 NB 207

Re: Prehearing Settlement Conference

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana requested a Notice of Proposed Default in this matter. A motion was made and seconded to issue a Notice of Proposed Default. Burghduff/McIntosh 7-0-0

EEE. In the Matter of the License of: Peter Auricchio, R.N., License No. 28175604A

Administrative Cause No. 2011 NB 197

Re: Prehearing Settlement Conference

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana requested a Notice of Proposed Default in this matter. A motion was made and seconded to issue a Notice of Proposed Default. Burghduff/Hall 7-0-0

FFF. In the Matter of the License of: Suzanne Diaz, L.P.N., License No. 27040012A

Administrative Cause No. 2011 NB 196

Re: Prehearing Settlement Conference

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana requested a Notice of Proposed Default in this matter. A motion was made and seconded to issue a Notice of Proposed Default. Burghduff/Laux 7-0-0

GGG. In the Matter of the License of: Therese Auler, R.N., License No. 28109433A

Administrative Cause No. 2011 NB 195

Re: Prehearing Settlement Conference

HHH. In the Matter of the License of: Teresa Johnson, L.P.N., License No. 27033289A

Administrative Cause No. 2011 NB 194

Re: Prehearing Settlement Conference

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/Laux 6-0-1, Motion carries.(McIntosh abstains)

III. In the Matter of the License of: Darlena McQueen, L.P.N., License No. 27023113A

Administrative Cause No. 2011 NB 193

Re: Prehearing Settlement Conference

David Fleischhacker, DAG

A facsimile with the appearance of John Worth for Ms. McQueen and Respondent's motion to continue was received on this date. This matter is continued.

JJJ. In the Matter of the License of: Pearlle Mae Love, R.N., License No. 28144181A

Administrative Cause No. 2011 NB 198

Re: Proposed Settlement Agreement

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.
Burghduff/Hall 7-0-0, Motion carries.

KKK. In the Matter of the License of: Melanie Hale, L.P.N., License No. 27044098A

Administrative Cause No. 2011 NB 083

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.
Laux/Dolk 6-0-1, Motion carries. (McIntosh abstains)

LLL. State of Indiana v. Ginger Sullivan, L.P.N., License No. 27041861A

Administrative Cause No. 2006 NB 0112

Re: Order to Show Cause

Parties and Counsel Present:

Thomas McGee, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana requested a Notice of Proposed Default in this matter. A motion was made and seconded to issue a Notice of Proposed Default. Hall/Laux 7-0-0

MMM. In the Matter of the License of: Sonja Farr, R.N., License No. 28093248A

Administrative Cause No. 2011 NB 042

Re: Proposed Settlement Agreement

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.
Burghduff/Hall 7-0-0, Motion carries.

NNN. In the Matter of the License of: Stephanie Chastain, R.N., License No. 28133709A

Administrative Cause No. 2011 NB 215

Re: Petition for Summary Suspension

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana filed a petition for summary suspension in this matter. After a hearing, a motion was made and seconded to place Respondent's license on summary suspension for ninety (90) days. Burghduff/Laux 7-0-0

OOO. In the Matter of the License of: Heather Brumbaugh, R.N., L.P.N., License Nos. 28093248A, 27058997A

Administrative Cause No. 2011 NB 148

Re: Proposed Settlement Agreement

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.
Laux/Hall 6-0-1, Motion carries. (Burghduff abstains)

PPP. In the Matter of the License of: Kelly Edsall, R.N., License No. 28189674A

Administrative Cause No. 2011 NB 220

Re: Petition for Summary Suspension

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana
Kelly Edsall, Respondent

Witnesses Present:

Charles Lindquist, Indiana State Nurses Assistance Program

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana filed a petition for summary suspension in this matter. After a hearing, a motion was made and seconded to place Respondent's license on summary suspension for ninety (90) days. Burghduff/Laux 7-0-0

QQQ. In the Matter of the License of: Brittaney Kirby, L.P.N., License No. 27063925A

Administrative Cause No. 2011 NB 221

Re: Petition for Summary Suspension

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana
Brittaney Kirby, Respondent

Witnesses Present:

Charles Lindquist, Indiana State Nurses Assistance Program

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana filed a petition for summary suspension in this matter. After a hearing, a motion was made and seconded to place Respondent's license on summary suspension for ninety (90) days. Johns/McIntosh 7-0-0

RRR. In the Matter of the License of: Michelle Shingleton, R.N., License No. 28169869A

Administrative Cause No. 2011 NB 222

Re: Petition for Summary Suspension

Response from Respondent Placed in File

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana filed a petition for summary suspension in this matter. A response from Ms. Shingleton was also considered by the Board. After a hearing, a motion was made and seconded to place Respondent's license on summary suspension for ninety (90) days. Burghduff/Laux 7-0-0

SSS. In the Matter of the License of: Melissa Tomlinson, R.N., License No. 28170340A

Administrative Cause No. 2011 NB 223

Re: Petition for Summary Suspension

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana
Melissa Tomlinson, Respondent

Witnesses Present:

Charles Lindquist, Indiana State Nurses Assistance Program

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana filed a petition for summary suspension in this matter. After a hearing, a motion was made and seconded to place Respondent's license on summary suspension for ninety (90) days. Burghduff/Laux 6-0-1 (Dolk abstains)

TTT. In the Matter of the License of: Kelly Kerner, L.P.N., License No. 27061966A

Administrative Cause No. 2011 NB 224

Re: Petition for Summary Suspension

Parties and Counsel Present:

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Board Action:

The State of Indiana filed a petition for summary suspension in this matter. After a hearing, a motion was made and seconded to place Respondent's license on summary suspension for ninety (90) days. McIntosh/Hall 7-0-0

IX. DEFAULT HEARINGS

A. In the Matter of the License of: Connie Dobson-Ribera, L.P.N., License No. 27057311A

Administrative Cause No. 2011 NB 146

Re: Notice of Proposed Default

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Burghduff/McIntosh 5-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension. Respondent must maintain compliance in an ISNAP recovery monitoring agreement for 2 years with quarterly INSPECT reports, complete 48 hours of continuing education, and pay a fine of \$500.00 and costs. Burghduff/McIntosh 5-0-0, Motion carries.

B. In the Matter of the License of: Delores Pidcock, R.N., License No. 28127729A

Administrative Cause No. 2011 NB 151

Re: Notice of Proposed Default

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Burghduff/McIntosh 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension for no less than 99 years and payment of a \$250.00 fine. Burghduff/Laux 7-0-0, Motion carries.

C. In the Matter of the License of: Mary Elizabeth Nichols, R.N. License No. 28149699A

Administrative Cause No. 2011 NB 129

Re: Notice of Proposed Default Order

Parties and Counsel Present:

Thomas McGee, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Burghduff/Laux 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to revoke the Respondent's nursing license. Burghduff/Laux 7-0-0, Motion carries.

D. In the Matter of the License of: Tracy Ann Smith, R.N., License No. 28166905A

Administrative Cause No. 2011 NB 130

Re: Notice of Proposed Default Order

Parties and Counsel Present:

Thomas McGee, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Burghduff/Laux 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite probation for a minimum of two (2) years. Respondent may not work in a home health or hospice environment, shall provide quarterly employer reports to the Board, and must pay a fine and costs in the matter. Burghduff/Laux 7-0-0, Motion carries.

E. In the Matter of the License of: Sandra Nelson R.N., License No. 28128813A

Administrative Cause No. 2011 NB 127

Re: Notice of Proposed Default Order

Parties and Counsel Present:

Thomas McGee, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Laux/Hall 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension for no less than 10 years. Respondent must demonstrate one (1) full year of compliance in an ISNAP RMA prior to petitioning for reinstatement. Johns/Laux 7-0-0, Motion carries.

F. In the Matter of the License of: Sue Ann Richey, L.P.N. License No. 27042115A CONTINUED

Administrative Cause No. 2011 NB 060

Re: Notice of Proposed Default Order

G. In the Matter of the License of: Rebecca Wright, L.P.N., License No. 27018588A

Administrative Cause No. 2011 NB 095

Re: Notice of Proposed Default Order

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

McIntosh/Laux 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension. Prior to reinstatement Respondent must demonstrate one (1) year of compliance in an ISNAP RMA, proof of completion of 60 hours of continuing education as detailed in the final order, pay a \$750.00 fine and pay costs. Burghduff/Laux 7-0-0, Motion carries.

H. In the Matter of the License of: Sarah Potts, L.P.N., License No. 27049450A CONTINUED

Administrative Cause No. 2011 NB 064

Re: Notice of Proposed Default & Summary Suspension Order

I. In the Matter of the License of: Janice Nelson, R.N. License No. 28175739A

Administrative Cause No. 2011 NB 039

Re: Notice of Proposed Default Order

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Burghduff/Laux 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension for no less than one (1) year. McIntosh/Burghduff 7-0-0, Motion carries.

J. In the Matter of the License of: Erin Hooper, R.N., License No. 28187184A

Administrative Cause No. 2011 NB 137

Re: Notice of Proposed Default

Parties and Counsel Present:

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana
John Ferguson, Certified Legal Intern

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Burghduff/McIntosh 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension. Prior to petitioning for reinstatement Respondent must demonstrate one (1) year of compliance in an ISNAP RMA and pay a \$250.00 fine and costs. Laux/Dolk 6-0-1, Motion carries. (McIntosh abstains)

K. In the Matter of the License of: Michelle Myers, R.N., License No. 28086647A

Administrative Cause No. 2011 NB 105

Re: Notice of Proposed Default Order

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Burghduff/McIntosh 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension for no less than three (3) years. Prior to petitioning for reinstatement Respondent must demonstrate one (1) year of compliance in an ISNAP RMA, take 36 hours of continuing education as outlined in the final order and pay costs in the matter. Burghduff/Hall 6-0-1, Motion carries. (Laux abstains)

L. In the Matter of the License of: Jaime McMahon, L.P.N., License No. 27056420A CONTINUED

Administrative Cause No. 2011 NB 095

Re: Notice of Proposed Default & Summary Suspension Order

M. In the Matter of the License of: Amy Rossiter, L.P.N., License No. 27046217A

Administrative Cause No. 2011 NB 043

Re: Notice of Proposed Default Order

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Burghduff/Laux 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite probation for a minimum of two (2) years with the following terms: completion of 60 hours of continuing education as outlined in the final order, payment of a \$1,250.00 fine, and payment of costs in this matter. Burghduff/Laux 6-1-0, Motion carries. (McIntosh against)

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

Administrative Cause No. 2011 NB 110029

Re: Notice of Proposed Default

Parties and Counsel Present:

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

John Ferguson, Certified Legal Intern

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Burghduff/Laux 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite probation with the following terms and conditions: Respondent must demonstrate one (1) year of compliance in an ISNAP RMA, payment of a \$250.00 fine and payment of costs in this matter. Burghduff/Hall 7-0-0, Motion carries.

O. In the Matter of the License of: Heidi Johnson, L.P.N., License No. 27039097A

Administrative Cause No. 2010 NB 294

Re: Notice of Proposed Default Order & Summary Suspension Order

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Laux/Dolk 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension. Prior to petitioning for reinstatement, Respondent must demonstrate one (1) full year of compliance in an ISNAP RMA with quarterly INSPECT reports, pay a \$250.00 fine, complete continuing education as outlined by the final order in this matter and pay costs. Burghduff/Laux 7-0-0, Motion carries.

P. In the Matter of the License of: Laura Boyd, R.N., License No. 28093759A

Administrative Cause No. 2009 NB 033

Re: Notice of Proposed Default Order & Suspension Order

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Burghduff/Laux 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension. Prior to petitioning for reinstatement, Respondent must demonstrate one (1) full year of compliance in an ISNAP RMA with quarterly INSPECT reports, pay a \$250.00 fine, complete continuing education as outlined by the final order in this matter and pay costs. Burghduff/Laux 7-0-0, Motion carries.

Q. In the Matter of the License of: Misty Walker, L.P.N., License No. 27043795A

Administrative Cause No. 2011 NB 152

Re: Notice of Proposed Default

Parties and Counsel Present:

Jessica Joshua and Laura Wilford, Deputy Attorneys General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Burghduff/Laux 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension. Prior to petitioning for reinstatement, Respondent must demonstrate one (1) full year of compliance in an ISNAP RMA with quarterly INSPECT reports, pay a \$750.00 fine, complete continuing education as outlined by the final order in this matter and pay costs. Burghduff/Hall 7-0-0, Motion carries.

R. In the Matter of the License of: Tamika Exom, L.P.N., License No. 27051561A

Administrative Cause No. 2011 NB 099

Re: Notice of Proposed Default

Parties and Counsel Present:

Jessica Joshua and Laura Wilford, Deputy Attorneys General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Dolk, Hall, Johns, Laux, Presley

Case Summary and Board Action:

The State requested that a default be issued against Respondent.

Burghduff/Laux 7-0-0, Motion carries.

Following a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension for a minimum of fifteen (15) years. Prior to petitioning for reinstatement Respondent must complete eighty (80) hours of continuing education as outlined in the final order in this matter and pay costs. McIntosh/Hall 6-0-1, Motion carries. (Burghduff recused)

**X. DISCUSSION AND ADOPTION OF ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS
FROM JUNE 2, 2011 ALJ MEETING AND JULY 7, 2011 ALJ MEETING**

Board Action: All recommendations from the Administrative Law Judge meetings listed which took place on June 2, 2011 and July 7, 2011 were approved by the Board. Burghduff/Hall 7-0-0

The following recommendations were made by Mr. Burghduff after hearings which took place on June 2, 2011:

A. In the Matter of the License of: Justin Hayden, R.N., License No. 28176098A

Administrative Cause No. 2007 NB 0114

Re: Request to Withdraw Probation

Mr. Hayden appeared before the Board on his request to withdraw the probation from his nursing license. The State was represented by Patricia Gibson. Chuck Lindquist testified on behalf of Mr. Hayden. Following a hearing, Mr. Burghduff recommended that probation be modified to cause the Respondent to provide the Board directly with monthly sponsor reports and monthly performance evaluations. Indefinite probation will continue and may not lift for an additional six (6) months. All reports are due to the Board by the 15th of the month.

B. State of Indiana v. Rhonda Frances Reddy, R.N., License No. 28103722A

Administrative Cause No. 2003 NB 0109

Re: Request to Withdraw Probation

Ms. Reddy failed to appear. Patricia Gibson appeared on behalf of the State of Indiana. Mr. Burghduff recommended issuance of a Notice of Proposed Dismissal.

C. In the Matter of the License of: Susan Kay Cales, L.P.N., License No. 27029891A

Administrative Cause No. 2010 NB 016

Re: Request to Withdraw Probation

Ms. Cales appeared before the Board on her request to withdraw the probation from her nursing license. The State was represented by Patricia Gibson. Following a hearing, Mr. Burghduff recommended that the probationary status be withdrawn from her license.

D. In the Matter of the License of: Denise Smith, R.N., License No. 28193130A

Administrative Cause No. 2010 NB 199

Re: Request to Withdraw Probation

Ms. Smith appeared before the Board on her request to withdraw the probation from her nursing license. The State was represented by Patricia Gibson. Chuck Lindquist testified on behalf of Ms. Smith. Following a hearing, Mr. Burghduff recommended that the probationary status be withdrawn from her license.

E. In the Matter of the License of: Keri Ann Martin, R.N., License No. 28140298A

Administrative Cause No. 2010 NB 045

Re: Request to Withdraw Probation

Ms. Martin appeared before the Board on her request to withdraw the probation from her nursing license. The State was represented by Patricia Gibson. Following a hearing, Mr. Burghduff recommended that the probationary status be withdrawn from her license.

F. State of Indiana v. Tina Perkins, R.N., License No. 28113309A

Administrative Cause No. 94 NB 055

Re: Request to Withdraw Probation

Ms. Perkins appeared before the Board on her request to withdraw the probation from her nursing license. The State was represented by Patricia Gibson. Chuck Lindquist testified on behalf of Ms. Perkins. Following a hearing, Mr. Burghduff recommended that the probationary status be withdrawn from her license.

G. In the Matter of the License of: Jessica Truman, L.P.N., License No. 27061309A

Administrative Cause No. 2008 NB 051

Re: Request to Withdraw Probation

Ms. Truman appeared before the Board on her request to withdraw the probation from her nursing license. The State was represented by Patricia Gibson. Chuck Lindquist testified on behalf of Ms. Truman. Following a hearing, Mr. Burghduff recommended that Ms.

Truman's request be denied and that the Attorney General's Office investigate the two terminations and resignation in lieu of termination reported at this hearing.

H. In the Matter of the License of: April Bates, L.P.N., License No. 27055578A

Administrative Cause No. 2010 NB 023

Re: Request to Withdraw Probation

Ms. Bates appeared before the Board on her request to withdraw the probation from her nursing license. The State was represented by Patricia Gibson. Chuck Lindquist testified on behalf of Ms. Bates. Following a hearing, Mr. Burghduff recommended that Ms. Bates' request be denied and that her probation be modified to return to ISNAP with three (3) to (6) months of compliance which will be left to ISNAP's discretion and completion of six (6) CEU's in ethics, six (6) CEU's in documentation, six (6) CEU's in pharmacology and six (6) CEU's in patient assessment.

Mr. Burghduff made the following recommendations after personal appearances that took place on July 7, 2011:

Laux/McIntosh Accepted 7-0-0

1. Andrea Mitchell

Ms. Mitchell appeared before the ALJ regarding her application for licensure by examination. She has failed the exam 4 times previously and stated she is taking the Hurst Review course at this time. Mr. Burghduff recommended denying her application until she can present proof of 95% probability of passing the NCLEX.

2. Jennifer Shaul

Ms. Shaul appeared before the ALJ regarding her application for licensure by examination. She reported past discipline on her KY LPN license. She previously participated in the ISNAP program 2002-06 with successful completion. She has a plan to maintain sobriety. Mr. Burghduff recommended that she be allowed to test and her license be issued free and clear.

3. Kimberly Kivett

Ms. Kivett appeared before the ALJ regarding her application for licensure by examination. She reported criminal conversion for stealing from Macy's and public intoxication/disorderly conduct both of which occurred in 2010 while in nursing school. Mr. Burghduff recommended that she be allowed to test and she is to contact ISNAP for an evaluation. Upon passing, her license will be issued on probation for one year.

4. Megan Rodriguez

Ms. Rodriguez appeared before the ALJ regarding her application for licensure by examination. She reported a DUI in 2010 while in nursing school. Mr. Burghduff recommended that she be allowed to test and she is to contact ISNAP for an evaluation and enter into a monitoring agreement if eligible. If not eligible, her license will be issued free and clear.

5. Rebecca Winder

Ms. Winder appeared before the ALJ regarding her application for licensure by endorsement. She reported her KY RN license is on probation due to unauthorized access to medications. Mr. Burghduff recommended that she contact ISNAP for an evaluation and that her Indiana license be granted on probation following the terms of her KY probation order.

6. Kathryn Stephan

Ms. Stephan appeared before the ALJ regarding her application for licensure by examination. She reported 2001 and 2002 charges for minor consumption, public intoxication, possession of marijuana and false informing to the police. She has had no further arrests since these at age 19. Mr. Burghduff recommended that she be allowed to test and she is to contact ISNAP for an evaluation and enter into an RMA if eligible. Upon passing, her license will be issued free and clear.

7. Carol Moyo

Ms. Moyo appeared before the ALJ regarding her application for licensure by examination. She reported a termination for clocking in early when she was not yet at the job site she was assigned to. She stated she has been rehired by that agency. Mr. Burghduff recommended that she be allowed to test and that upon passing, her license will be issued free and clear.

8. Stephan Coe

Mr. Coe did not appear before the ALJ regarding his application for licensure by examination and the positive response he gave. Mr. Burghduff recommended that his personal appearance meeting be rescheduled for the August board meeting.

9. Heather Lanpher

Ms. Lanpher appeared before the ALJ regarding her application for licensure by examination. She reported shoplifting in 1990 on her application. She also reported on her LPN renewal a termination but did not report it on the RN application. The termination was for not following protocol when administering meds to a diabetic patient. Mr. Burghduff recommended that she be allowed to test and that upon passing, her license will be issued free and clear.

10. Melissa Dougherty

Ms. Dougherty appeared before the ALJ regarding her application for licensure by examination. She reported minor consumption charge at age 17 and public intoxication in Sept. 2010. She did not report the 2010 incident on her first application which is dated 9/9/10 but was not received by the BON until 12/8/10. Mr. Burghduff recommended that she be allowed to test and she is to contact ISNAP for an evaluation. Upon passing, her license will be issued on probation and she must be in full compliance for at least three months before she can petition for the probation to be lifted.

11. Lilian Fisher

Ms. Fisher appeared before the ALJ regarding her application for licensure by examination. She reported two incidents of minor consumption in 2006. Mr. Burghduff recommended that she be allowed to test and she is to contact ISNAP for an evaluation. Upon passing, her license will be issued on probation and she must be in full compliance for at least three months before she can petition for the probation to be lifted.

12. Emily Skidmore

Ms. Skidmore appeared before the ALJ regarding her application for licensure by examination. She reported minor consumption charges in 2004 and 2008; the 2008 incident occurred while she was in nursing school. Mr. Burghduff recommended that she be allowed to test and she is to contact ISNAP for an evaluation. Upon passing, her license will be issued on probation and she must be in full compliance for at least three months before she can petition for the probation to be lifted.

13. Kathy Steinhauer

Ms. Steinhauer appeared before the ALJ regarding her application for RN licensure by examination. She has failed the exam 9 times previously and finished school in 2000. She has had an active LPN license since 1989 with no disciplinary issues. She has taken the NCLEX review course and has a tutor. Mr. Burghduff recommended denying her application until she can present proof of 95% probability of passing the NCLEX.

14. Christina Signorino

Ms. Signorino did not appear regarding her licensure by examination application. She has failed the NCELX examination 7 times previously. She sent correspondence stating she will not appear and is waiting for her approval to test. Mr. Burghduff recommended denying her application.

15. Salvacion Solomon

Ms. Solomon appeared regarding her licensure by examination application. She has failed the NCELX examination 10 times previously and finished school in 1979. Mr. Burghduff recommended denying her application and recommended that she return to school to gain knowledge related to current practice issues.

16. Kathy Payne

Ms. Payne appeared before the ALJ regarding her application for RN licensure by examination. She has failed the exam 5 times previously. She most recently tested on 12/30/10. Mr. Burghduff recommended denying her application until she can present proof of 95% probability of passing the NCLEX.

17. Amelia Davis

Ms. Davis appeared before the ALJ regarding her application for licensure by examination. She reported underage drinking charge in 2007 while in nursing school. Due to the length of time passed and there being no further incidents, Mr. Burghduff recommended that she be allowed to test and her license be issued free and clear.

18. Jena Hess

Ms. Hess appeared before the ALJ regarding her application for licensure by examination. She reported underage drinking and hiding from law enforcement in 2007 and 2008. Mr. Burghduff recommended that she be allowed to test and her license be issued free and clear.

19. Chelsea Montgomery

Ms. Montgomery appeared before the ALJ regarding her application for licensure by examination. She reported shoplifting in 2007 and illegal consumption of alcohol in 2008 for which she completed a pre-trial diversion program. Mr. Burghduff recommended that she be allowed to test and she is to contact ISNAP for an evaluation and enter into an RMA if eligible. Upon passing, her license will be issued free and clear.

20. Jamia Hardig

Ms. Hardig appeared before the ALJ regarding her application for licensure by examination. She reported an OWI charge in 2001 in which she was given six months probation. She then violated probation due to a positive drug screen for marijuana. She claims sobriety since Jan. 2005. Mr. Burghduff recommended that she be allowed to test, have an ISNAP evaluation and sign an RMA if eligible. Upon passing, her license will be issued free and clear.

21. Michael Leazenby

Mr. Leazenby appeared before the ALJ regarding his application for licensure by examination. He has failed the exam 4 times previously and stated he is taking the Hurst Review course at this time. Mr. Burghduff recommended denying his application until he can present proof of 95% probability of passing the NCLEX.

22. Heather Herald

Ms. Herald appeared before the ALJ regarding her application for licensure by examination. She has failed the exam 4 times previously and stated she is taking the Kaplan review course and seeing a tutor. Mr. Burghduff recommended denying her application until she can present proof of 95% probability of passing the NCLEX.

23. Stephen Juma-Owiti

Mr. Juma-Owiti appeared before the ALJ regarding his application for licensure by examination. He has failed the exam in MN and finished school in 2006. Mr. Burghduff recommended that he be allowed to test and his license be issued free and clear.

24. Mallory Watson

Ms. Watson did not appear before the ALJ regarding her application for licensure by examination. She has failed the NCLEX five times previously. Mr. Burghduff recommended that her personal appearance meeting be rescheduled for the August board meeting.

25. Stacy Naugler

Ms. Naugler appeared before the ALJ regarding her application for licensure by examination. She reported being a passenger in a car in 1997 whose driver was in possession of marijuana and she was subsequently charged with visiting a common nuisance. In 1998 she was charged with minor consumption of alcohol. She has had no further arrests since these. Mr. Burghduff recommended that she be allowed to test and upon passing; her license will be issued free and clear.

26. Amanda Kurtz

Ms. Kurtz appeared before the ALJ regarding her application for licensure by examination. She reported a class C felony in 2007 for possession of marijuana with intent to distribute and is currently on probation until Jan. 2012. Mr. Burghduff recommended that she have an ISNAP evaluation and enter into an RMA. Upon passing, her license will be issued on probation for the length of the RMA.

27. Ashley Carpenter

Ms. Carpenter appeared before the ALJ regarding her application for licensure by examination. She reported 8 motor vehicle violations and that her driver's license has been suspended 5 times. She was suspended from a CNA job but states the reasons given were untrue. Mr. Burghduff recommended that she be allowed to test and upon passing; her license will be issued free and clear.

28. Ashlee Johnson

Ms. Johnson appeared before the ALJ regarding her application for licensure by examination. She reported a termination in 2006 due to care issues and in July 2007 tested positive for marijuana during a routine drug screen at work. She was also terminated in 2008 for a no call no show. In 2009 she had a possession of marijuana charge and was terminated in May 2011. Mr. Burghduff recommended that she be allowed to test and have an ISNAP evaluation and enter into an RMA. Upon passing, her license will be issued on probation for the length of the RMA.

29. Ashley Seals

Ms. Seals appeared before the ALJ regarding her application for licensure by examination. She reported a DUI in 2009 while in nursing school. Mr. Burghduff recommended that she be allowed to test and her license be issued free and clear.

30. Ronnetta Bowman

Ms. Bowman appeared before the ALJ regarding her application for licensure by examination. She reported driving while suspended in 1999 and 2008, battery in 2001, and criminal conversion twice in 2005. Mr. Burghduff recommended that she be allowed to test and that upon passing, her license will be issued on probation for one year with supervisory reports.

31. Rhonda Oliphant

Ms. Oliphant appeared before the ALJ regarding her application for renewal of her expired LPN license. She admitted to having a problem with alcohol and has two years of sobriety. She reviewed an alcohol related charge in May 2009 and violated her probation for that charge. She accepted a LPN job in June before her license was renewed. Mr. Burghduff recommended that her license be renewed on probation and that she must complete an ISNAP evaluation and enter into a RMA. She may petition for lifting the probation at the completion of the RMA.

The following recommendations were made by Ms. Slagle after hearings which took place on July 7, 2011:

- 1. In the Matter of the License of: Jacalyn Kae Evans, L.P.N., R. N., License Nos. 27038459A, 28179876A**
Administrative Cause No. 2010 NB 060
Re: Request to Withdraw Probation

The State of Indiana was represented by Deputy Attorney General Thomas McGee. Ms. Evans appeared and waived the right to counsel. Petitioner was sworn in as a witness along with Chuck Lindquist. After a hearing, ALJ Slagle recommended that probation be withdrawn once a successful employer report for the quarter from April -June 2011 is received.

2. In the Matter of the License of: Courtney Grant, L.P.N., License No. 27065980A
Administrative Cause No. 2010 NB 235
Re: Request to Withdraw Probation

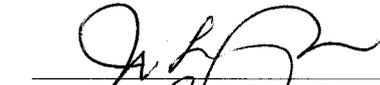
The State of Indiana was represented by Deputy Attorney General Patricia Gibson. Ms. Grant appeared and waived the right to counsel. Petitioner was sworn in as a witness. After a hearing, ALJ Slagle recommended that probation be withdrawn.

3. In the Matter of the License of: Jameelah Muhammad, L.P.N., License No. 27066634A
Administrative Cause No. 2010 NB 273
Re: Request to Withdraw Probation

The State of Indiana was represented by Deputy Attorney General Patricia Gibson. Petitioner was present and waived the right to counsel. Chuck Lindquist was sworn as a witness along with Petitioner. After a hearing, ALJ Slagle recommended that probation be withdrawn.

X. ADJOURNMENT

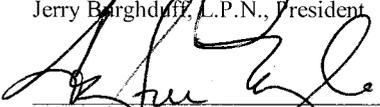
There being no further business, and having completed its duties, the meeting of the Indiana State Board of Nursing adjourned at 7:13 p.m.



Jerry Burghdoff, L.P.N., President

Date

8-18-11



Constance McIntosh, R.N., Secretary

Date

8-18-2011