

STATE OF INDIANA, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 RHONDA L. LANGSTON, L.P.N., )  
 License Number: 27031628A, )  
 )  
 Respondent. )

FILED

FEB 27 2003

HEALTH PROFESSIONS  
BUREAU

**NOTICE OF PROPOSED DEFAULT AND SUMMARY SUSPENSION ORDER**

A final hearing was scheduled to be held on February 20, 2003, before the Indiana State Board of Nursing ("Board") in the Auditorium of the Conference Center, in the Indiana Government Center South, 302 W. Washington Street, Indianapolis, Indiana, 46204, to consider the Amended Complaint filed on February 6, 2003, by the State of Indiana ("Petitioner") against Rhonda L. Langston, L.P.N. ("Respondent").

The State of Indiana was represented by Sara Matticks, Deputy Attorney General. Respondent failed to appear in person or by counsel.

The Board, after taking official notice of its file in this matter and pursuant to Indiana Code § 4-21.5-3-24, by a vote of 5-0-0, first issues a **NOTICE OF PROPOSED DEFAULT** against the Respondent on the following grounds:

1. Respondent was given proper notice of the time, date and location of the final hearing held on February 20, 2003.
2. Notice of the hearing was sent to Respondent on January 6, 2003, February 7, 2003 and February 17, 2003, at the Respondent's address on file with the Board, 328 1/2

South Meridian, Portland, Indiana, 47371. The Office of the Attorney General also attempted to notify Respondent by telephone at Respondent's last known number, which was not in service.

3. Respondent failed to appear at the administrative hearing and was not represented by counsel.

For the Respondent's failure to appear for her scheduled hearing, the Board issues the following **NOTICE OF PROPOSED DEFAULT**:

In accordance with Indiana Code § 4-21.5-3-24, the Respondent must file a written motion within seven (7) days of service of this Order requesting that the Board not enter a default order in this case and stating the reasons relied upon for the request. Failure of the Respondent to file such a written motion within seven (7) days shall result in the issuance of a default order. If the Respondent timely files a motion, the Board shall consider said motion along with any other relevant facts in determining whether a default order should be entered. Should a default order be entered against the Respondent, the Board may hold further proceedings it deems appropriate to complete this case without the participation of the Respondent.

#### **SUMMARY SUSPENSION ORDER**

The Indiana State Board of Nursing ("Board"), pursuant to the authority of Indiana Code § 4-21.5-4-1 *et seq.* and Indiana Code § 25-1-9-10, by a vote of 5-0-0, **SUMMARILY SUSPENDS** the license held by Rhonda L. Langston, L.P.N., ("Respondent") for ninety (90) days, as the Board finds that an emergency exists and that the Respondent represents a clear and immediate danger to the public health and safety if allowed to practice nursing in the State of Indiana.

This **NON-FINAL** emergency order is based on the evidence in the Board's file and State's Exhibits No. 1, 2, and 3, which establish that:

1. The Respondent's address on file with the Board is 328 1/2 South Meridian, Portland, Indiana, 47371, and she is a duly licensed practical nurse in the State of Indiana having been issued license number 27031628A.

2. This Board has jurisdiction to suspend Respondent's license in accordance with the provisions of Indiana Code § 4-21.5-4-3 et seq. and Indiana Code § 25-1-9-10.

3. Respondent was employed at Chalet Village Health and Rehabilitation Center in Berne, Indiana, during April 2001.

4. Respondent's employment at Chalet Village was terminated May 18, 2001, due to suspicions that Respondent had diverted liquid Valium and that Respondent had tested positive for opiates and benzodiazepines.

5. Respondent's employer offered Respondent the opportunity to present evidence she was in possession of legal prescriptions but Respondent did not respond.

6. On or about January 16, 2002, the Respondent was given an opportunity to avoid disciplinary action by entering into a contract with the Indiana State Nurses Assistance Program (ISNAP).

7. Respondent has not contacted ISNAP.

8. Respondent was recently employed at AmeriCare Living Center in Portland, Indiana.

9. Respondent was terminated from AmeriCare after a police investigation revealed Respondent had diverted morphine.

10. Respondent provided a taped statement to the Portland Police admitting she had committed diversion and that her sister-in-law, Wanda Langston, a licensed practical nurse, was also involved in diversion of controlled substances at the Chalet Village facility.

**WHEREFORE, RESPONDENT IS ORDERED** to immediately cease and desist all acts constituting the practice of nursing for a period of ninety (90) days from the date of this Order.

**IT IS FURTHER ORDERED**, that Respondent shall immediately surrender all indicia of licensure, including her pocket license and wall license, to the Board in care of the Health Professions Bureau, 402 West Washington Street, Room 041, Indianapolis, Indiana 46204.

**IT IS FURTHER ORDERED**, that the Respondent to submit, at her own expense, to a thorough examination and assessment to determine if Respondent has an addiction to alcohol and/or drugs. Respondent shall take a copy this Order to the person performing the examination and assessment and cause said person to acknowledge having read this Order prior to performing his/her examination and assessment. Respondent shall choose one of the board approved addictionologists to perform this examination and assessment.

Said addictionologist report shall be a **CONDITION PRECEDENT** to the reinstatement of Respondent's Indiana nursing license. A copy of the report shall be mailed to the Board and to Sara Matticks, Deputy Attorney General, 302 West Washington Street, IGCS 5<sup>th</sup> Floor, Indianapolis, IN 46204.

SO ORDERED, this 27<sup>th</sup> day of February, 2003.

By: Lisa R. Hayes  
Lisa R. Hayes  
Executive Director  
Health Professions Bureau

Copies to:

Rhonda Langston, LPN  
328 ½ South Meridian  
Portland, IN 47371

**SENT CERTIFIED MAIL NO. 7001 2510 0002 5178 4432**  
**RETURN RECEIPT REQUESTED.**

*sent regular mail 3/5/03*

Deputy Attorney General Sara Matticks  
**Office of the Attorney General**  
Indiana Government Center South  
302 West Washington Street, Fifth Floor  
Indianapolis, IN 46204-2770