

**BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2017 NB 0144**

**IN THE MATTER OF THE LICENSE OF:** )  
 )  
**EMILY BEDWELL, L.P.N.,** )  
 )  
**LICENSE NO: 27067235A** )



**ORDER ACCEPTING VOLUNTARY AGREEMENT  
TO PETITION TO EXTEND SUMMARY SUSPENSION**

The State of Indiana ("Petitioner"), by the Office of the Attorney General, by Whitney N. Cooper, Deputy Attorney General and Emily Bedwell, L.P.N. ("Respondent"), by counsel Lorie Brown, signed and filed before the Indiana State Board of Nursing ("Board") a Voluntary Agreement to Petition to Extend Summary Suspension ("Agreement") which Agreement has been submitted to the Board for approval.

The Board, after reviewing the Agreement at the October 19, 2017 meeting held in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana 46204, now finds by a vote of 8-0-0 it has been entered into fairly and without fraud, duress, or undue influence, and is fair and equitable between the parties. The Board hereby incorporates the Agreement, which is attached hereto and incorporated herein as **Exhibit A**, and approves and adopts in full the Agreement.

**WHEREFORE**, the Board hereby accepts and approves the Agreement extending the summary suspension of Respondent's license until December 14, 2017, and Respondent is hereby **ORDERED** to abide by all the terms of the Agreement.

SO ORDERED, this 20th day of November 2017.

INDIANA STATE BOARD OF NURSING

By: Herbert W. Price  
Kim Cooper, R.N.  
Board President  
Indiana State Board of Nursing

for

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**CERTIFICATE OF SERVICE**

I certify that a copy of the "Order Accepting Voluntary Agreement to Extend Summary Suspension" has been duly served upon:

Emily Bedwell  
1905 3<sup>rd</sup> Street  
Fort Wayne, IN 46808  
**Service by U.S. Mail**

Lorie Brown  
6214 Broadway Street  
Indianapolis, IN 46220  
**Service by U.S. Mail**

Whitney N. Cooper, Deputy Attorney General  
Office of the Indiana Attorney General  
Indiana Government Center South  
302 West Washington Street, Fifth Floor  
Indianapolis, IN 46204  
Whitney.cooper@atg.in.gov  
**Service by Email**

11.20.2017

Date



\_\_\_\_\_  
Lisa Chapman, Litigation Specialist

Indiana State Board of Nursing  
Indiana Government Center South  
402 West Washington St., Room W072  
Indianapolis, IN 46204  
Phone: 317-234-2043  
Email: [pla2@pla.in.gov](mailto:pla2@pla.in.gov)

**Explanation of Service Methods**

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2017 NB 0144

IN THE MATTER OF THE LICENSE OF )  
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**FILED**  
OCT 18 2017  
Indiana Professional  
Licensing Agency

**VOLUNTARY AGREEMENT TO PETITION TO EXTEND SUMMARY SUSPENSION**

The Petitioner, the State of Indiana, by Whitney N. Cooper, Deputy Attorney General, ("Petitioner"), and Emily Bedwell, R.N. ("Respondent"), and her counsel Lorie Brown, Esq., in person, hereby execute this Agreement in regards to the Petition to Extend Summary Suspension of Respondent's license that was filed on or about October 17, 2017 ("Petition"). This Agreement is subject to the review and approval of the Indiana State Board of Nursing ("Board") and the Administrative Orders and Procedures Act, Ind. Code § 4-21.5-3 *et seq.* In the event that the Agreement is not approved by the Board, this Agreement shall be null and void and, in accordance with Indiana Rule of Evidence 408, may not be introduced into evidence in any civil, criminal or administrative proceeding.

**STIPULATED FINDING OF FACTS**

1. Respondent is a Licensed Practical Nurse ("LPN") in the State of Indiana, having been granted LPN License Number 27067235A on or about August 19, 2011, by the Board.
2. Respondent's address on file with the Board is 1905 Third Street, Fort Wayne, Indiana 46808.
3. This Board has jurisdiction to suspend Respondent's license in accordance with Ind. Code 4-21.5-4 *et seq.* and Ind. Code 25-1-9-10.

Exhibit  
A

4. The Board previously suspended Respondent's license on June 15, 2017, after a hearing on the evidence where the Board found the following:

- a. Respondent's nursing license was on probation from January 4, 2013 until December 12, 2016, because Respondent reported on her 2012 license renewal application that she had been arrested in August of 2012 for attempting to fill a forged prescription.
- b. Respondent was referred to the Indiana State Nurses Assistance Program ("ISNAP") in September of 2012, because she had been charged with felonies related to possession of hydrocodone and prescription forgery.
- c. Respondent entered into a Recovery Monitoring Agreement ("RMA") with ISNAP in November of 2012, and she successfully petitioned for early discharge from ISNAP in July of 2015.
- d. On or about April 22, 2017, while employed at Grey Stone Health and Rehabilitation Center ("Grey Stone Health"), Respondent was placed on suspension while the facility investigated possible narcotic diversion.
- e. A representative of Grey Stone Health reported to the Indiana State Department of Health that during the investigation, Respondent admitted to the Director of Nursing she had diverted narcotics for her personal use.
- f. The facility reported Respondent diverted 148 hydrocodone tablets, and as a result, she was terminated on April 27, 2017.
- g. Respondent has not made contact with ISNAP since she was discharged on July 22, 2015.

- h. Respondent submitted a written statement to the Board in lieu of personally attending the hearing on June 15, 2017, and she indicated in that statement she never admitted to diverting narcotics from Grey Stone Health. Respondent also indicated she did not make new contact with ISNAP, because she did not know the nature of the report Grey Stone Health made regarding the diversion investigation. Respondent also believes others at Grey Stone Health have unfairly targeted her due to her history with substance abuse.
    - i. Based on the foregoing, Respondent presents a clear and immediate danger to the public health and safety if continuing to practice nursing.
  5. On August 17, 2017, the Board extended the summary suspension of Respondent's license and made the following additional findings:
    - a. Respondent gave a urine drug screen on April 26, 2017, while suspended by Grey Stone Health, for "reasonable cause."
    - b. The preliminary results of the urine drug screen from April 26, 2017 were positive for benzodiazepines. The Keystone Lab Controlled Substance confirmatory test results indicated Respondent's urine screen was negative for benzodiazepines, but the specimen was dilute with a creatinine level of 15.6 mg/dL.
    - c. Respondent emailed counsel for Petitioner on July 14, 2017, and stated the test she gave at Grey Stone Health was positive for benzodiazepines. She explained, "The only reason I could think of was that I had taken care of a resident on a different hall in that building which uses Lorazepam cream which is applied routinely. He can be combative at times and it very easily could have absorbed

through my skin without me realizing it." Respondent reported she was wearing gloves when she administered the lorazepam cream to the resident.

- d. Prior to her employment at Grey Stone Health, Respondent was employed at Canterbury Health and Rehabilitation ("Canterbury") as a licensed practical nurse beginning on September 28, 2016.
- e. Tammy Sanderson, the Director of Nursing at Canterbury, executed a detailed document explaining what occurred at Canterbury on January 13, 2017 involving Respondent.
- f. Sanderson wrote Respondent was reported at 9:20am on January 13, 2017, to be behaving strangely as evidenced by slurring her words, struggling to focus, and having difficulty keeping her dentures in her mouth.
- g. At 9:25am on the same date, Sanderson had Aquillia Hill perform a urine test on Respondent, and the results were positive for Norco and morphine.
- h. Sanderson wrote that at 9:35am on January 13, 2017, she told Respondent she must give a drug test at an outside facility, and Respondent asked if should could drive herself.
- i. Sanderson told Respondent she must wait for the SRC, Chavon, to drive Respondent to the screen and then drive her back to Canterbury.
- j. At 9:45am on January 13, 2017, Sanderson was informed by Tonya Barnfield that Respondent could not focus enough to count the narcotics on her cart before transferring it to Barnfield. It was at that time that Respondent retrieved her purse from the nurse station, walked out to her vehicle, and drove away. Sanderson told Barnfield to notify the police at 9:55am of the foregoing events.

- k. At 10:10am on January 13, 2017, Barnfield informed Sanderson a complete card of Norco and a complete card of morphine were missing from the cart she had just taken over from Respondent.
- l. Respondent denied ever being drug tested at Canterbury on January 13, 2017, and she reported she voluntarily left her employment on January 13, 2017 due to issues with management.
- m. Respondent contacted ISNAP on July 19, 2017 to re-enroll in the program.
- n. Respondent submitted to a substance abuse evaluation at We Care Counseling as referred by ISNAP. The evaluator, Suzann Doran, recommended: "Due to [Respondent's] complete claim of innocence and no proof at all, otherwise, at this time, no recommendations given. This would change if any real evidence would come to light of her use or stealing any meds."
- o. Respondent presented a drug screen she took on May 2, 2017, for pre-employment at Signature Healthcare of Fort Wayne. The results of this screen were negative for all substances tested.
- p. Respondent testified she was hired to do medical record work at Signature Healthcare in May of 2017, but she was terminated after her employer learned her nursing license had been suspended. Respondent testified her employment at Signature Healthcare did not require a nursing license, but her supervisors terminated her due to the Board's finding that she presented a "clear and immediate danger to the public health and safety."



- q. Respondent presented emails from former co-workers who reported Respondent was a good nurse. She did not provide any evidence of any ongoing substance abuse treatment nor sobriety support group attendance.
  - r. Respondent presented proof of completion of fourteen (14) contact hours of Continuing Education Units she completed on August 15, 2017.
6. On or about May 15, 2017, Respondent began employment as a licensed practical nurse at Signature Healthcare.
  7. After the Board summarily suspended Respondent's license on June 15, 2017, Respondent continued to work as a licensed practical nurse at Signature Healthcare.
  8. Between June 28, 2017 and August 9, 2017, Respondent worked 276.35 hours at Signature Healthcare as a licensed practical nurse, despite having knowledge that her license had been summarily suspended as of June 15, 2017.
  9. On August 9, 2017, the family of a resident at Signature Healthcare filed a grievance against Respondent stating that Respondent yelled at the resident and then failed to ensure the resident's room was properly cleaned after the resident fell face first from his wheelchair causing his nose to bleed.
  10. Respondent admitted during the investigation into the grievance about the resident's unclean room that rather than call housekeeping as facility policy required, she simply shut the door to the resident's room and left the room in the same condition it was in when the resident left the facility to go to the hospital to be seen after his fall.
  11. Respondent was suspended from Signature Healthcare on August 9, 2017, due to the foregoing incident with the resident who suffered the bloody nose. Her suspension form states, "Emily was informed of the process and due to the family presence and matter of concern,

Emily was escorted off premises by DON. Emily was called at 6pm to review over the telephone the contents of the form.”

12. - Also on August 9, 2017, Signature Healthcare discovered Respondent’s license was summarily suspended while investigating the grievance filed against Respondent on that date.

13. Respondent resigned her position at Signature Healthcare on August 11, 2017, and she stated in her resignation email, “This email is to serve as my resignation. Effective immediately due to unforeseen circumstances of a personal nature I am unable to continue my employment at this time.”

14. At the hearing on Petitioner’s request to extend the summary suspension of Respondent’s license on August 17, 2017, the following testimony was given by Respondent in response to Petitioner’s questions:

Question: You took a pre-employment screen for Signature Healthcare of Fort Wayne, correct?

Answer by Respondent: Correct.

Question: May 2, 2017?

Answer by Respondent: Yes.

Question: Did you get the job?

Answer by Respondent: Yes.

Question: You said you are not currently employed though?

Answer by Respondent: I’m not.

Question: What happened?

Answer by Respondent: I had to resign when I was listed was a clear and present danger to health care.

Question: Were you going to work as a nurse at Signature?

Answer by Respondent: I was going to do medical records.

Question: Does that require you to have a valid nursing license?

Answer by Respondent: No.

Question: They still didn't keep you on even though you didn't need a nursing license?

Answer by Respondent: Because it said I was a clear and present danger to health care. Since I was in a building with patients, even though I didn't have direct patient care, they still felt that that could be construed that I was a liability. It's what corporate thought. Not my boss, but corporate.

15. In direct contradiction to the testimony Respondent provided on August 17, 2017 to the Board, Respondent had worked for at least six (6) weeks at Signature Healthcare providing direct patient care as a licensed practical nurse while her nursing license was summarily suspended.

16. Based on the facts stated above, Respondent continues to present a clear and immediate danger to the public's health and safety if allowed to continue to practice nursing in Indiana.

#### STIPULATED CONCLUSIONS OF LAW

1. The agreement of the parties as stated above establishes a sufficient factual and legal basis for the suspension of the Respondent's license pursuant to Ind. Code 25-1-9-10.

WHEREAS, this matter is set for hearing before the Board; and

WHEREAS, the Respondent and Petitioner wish to resolve this matter prior to a hearing and have reached a resolution.

IT IS NOW THEREFORE AGREED by Respondent and Petitioner as follows:

#### TERMS AND CONDITIONS

1. The Board has jurisdiction over the Respondent and the subject matter in this action commenced on or about June 15, 2017.

2. The parties execute this Agreement voluntarily.

3. Respondent and Petitioner voluntarily waive their rights to a public hearing on the Petition at this time.

4. Respondent has carefully read and examined this Agreement and fully understands its terms.

5. Respondent's license shall be **SUMMARILY SUSPENDED** until December 14, 2017 as described in the terms above.

6. The parties agree to the continuing jurisdiction of the Board.

10/17/17

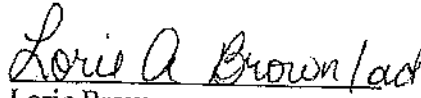
Date



Emily Bedwell, L.P.N.  
Respondent

10/17/17

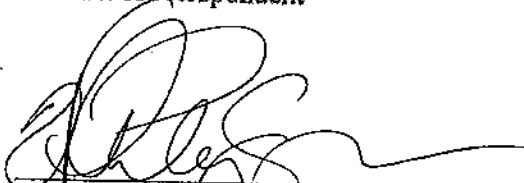
Date



Lorie Brown  
Counsel for Respondent

10/18/17

Date



Whitney N. Cooper  
Attorney No. 3030549  
Deputy Attorney General