

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NO: 2000 NB 0034

IN THE MATTER OF THE LICENSE OF:)
)
PAUL D. SEYMOUR, R.N.,)
)
LICENSE NO: 28134537A)



**FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER**

The Indiana State Board of Nursing (“Board”) held an administrative hearing on April 18, 2013, in the Auditorium of the Conference Center, Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana 46204, concerning the Order to Show Cause (“OTSC”) filed by the Board against the Indiana nursing license of Paul Seymour, R.N. (“Respondent”), on March 27, 2013.

The State of Indiana (“Petitioner”) was represented by the Office of the Indiana Attorney General, by Jessica W. Krug, Deputy Attorney General and Gregory B. Linder, Certified Legal Intern. Respondent appeared in person and chose to proceed without counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 5-0-0, issues the following Findings of Fact, Ultimate Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Respondent’s address on file with the Indiana Professional Licensing Agency is 419 West Lincoln Road, Apartment L6, Kokomo, Indiana 46902. Respondent is a Registered Nurse in the State of Indiana having been issued license number 28134537A.

2. In June of 2001, Respondent’s license was suspended for the diversion of narcotics, substance abuse, and a conviction for product tampering in Federal court.

3. In May of 2007, Respondent's license was reinstated on probation and he was required to successfully complete his Recovery Monitoring Agreement ("RMA") with the Indiana State Nurses Assistance Program ("ISNAP") and to successfully complete his federal criminal probation prior to petitioning for reinstatement.

4. In July of 2008, Respondent's license was suspended because of a relapse and he was ordered to comply with an RMA for one year prior to petitioning for reinstatement.

5. In September of 2009, Respondent's license was reinstated on probation and he was required to complete his RMA and one additional year of active nursing where he was not to be monitored by ISNAP prior to being able to petition for reinstatement.

6. In July 2011, Respondent successfully completed his RMA. Six (6) months later, in January 2012, Respondent called ISNAP to re-enroll and a three (3) year RMA was recommended.

7. Following Respondent's reenrollment with ISNAP in January of 2012, Respondent relapsed on cocaine, failed urine drug screens, and was in non-compliance with his RMA.

8. On or about March 27, 2013, the Board issued an OTSC based upon Respondent's non-compliance with his probation.

9. On or about April 18, 2013, Respondent appeared for an OTSC hearing. Evidence was presented demonstrating Respondent had not complied with the terms of his RMA with ISNAP.

ULTIMATE FINDINGS OF FACT

Respondent's conduct constitutes a violation of Ind. Code § 25-1-9-4(a)(10) in that Respondent has failed to comply with an order imposing sanctions under section 9 of this chapter.

CONCLUSION OF LAW

Respondent's violation is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, revocation and/or a fine up to the amount of one thousand dollars (\$1,000) per violation as detailed in Ind. Code § 25-1-9-9.

ORDER

Based upon the above Findings of Fact, the Board issues the following Order:

1. Respondent's Indiana nursing license is hereby placed on **INDEFINITE SUSPENSION** for a period no less than five (5) years. Prior to petitioning for reinstatement, Respondent must have fully served the duration of his suspension and completed one (1) year of full and continuous compliance with an RMA through ISNAP.

2. Respondent shall, within ninety (90) days of the Final Order, pursuant to Ind. Code § 4-6-14-10(b), pay a **FEE of FIVE DOLLARS (\$5.00)** to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

Office of the Indiana Attorney General
Attn: Katie Thorpe
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

4. Respondent's violation of this Final Order or any non-compliance with the statutes or regulations regarding the practice of nursing may result in Petitioner requesting a

summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

SO ORDERED, this 10 day of May, 2013.

INDIANA STATE BOARD OF NURSING

By:



Virgil R. Madden
Executive Director
Indiana Professional Licensing Agency

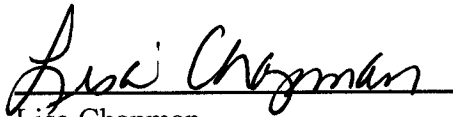
CERTIFICATE OF SERVICE

I certify that a copy of the "Findings of Fact, Ultimate Finding of Fact, Conclusions of Law, and Order" has been duly served upon:

Paul Seymour
419 W. Lincoln Road, Apt L6
Kokomo, Indiana 46902
Service by U.S. Mail

Jessica Krug
Deputy Attorney General
302 West Washington Street, 5th Floor
Indianapolis, IN 46204
Service by Email

10 May 13
Date



Lisa Chapman

Indiana State Board of Nursing
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
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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.