

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2012 NB 476

IN THE MATTER OF THE LICENSE OF: )  
REBECCA SHAW, L.P.N., )  
LICENSE NUMBER: 27047097A )

FILED  
JAN 25 2015  
INDIANAPOLIS, IN

FINAL ORDER

Natalie Hall, designated by the Indiana State Board of Nursing ("Board"), pursuant to Ind. Code § 4-21.5-3-9 to act as an administrative law judge ("ALJ") held an administrative hearing on November 19, 2014, concerning Rebecca Shaw's request to withdraw the probation from her license as a nurse.

A copy of the ALJ's "Recommended Findings of Fact, Conclusions of Law and Order" is attached hereto as Exhibit A and made a part hereof.

Pursuant to Ind. Code § 4-21.5-3-29(c) the Board, at its meeting of January 15, 2015, votes 9 to 0 to affirm said Recommended Findings of Fact, Conclusions of Law and Order and adopt it as a final order in this proceeding.

The probation on Shaw's license is **WITHDRAWN**.

ISSUED this 15<sup>th</sup> day of January, 2015.

INDIANA STATE BOARD OF NURSING

By: Maurice Bennett  
for Nicholas W. Rhoad  
Executive Director  
Indiana Professional Licensing Agency

**CERTIFICATE OF SERVICE**

I certify that a copy of the "Final Order" has been duly served upon:

Rebecca Shaw  
4752 North Main Street  
Cayuga, Indiana 47928  
**Service by U.S. Mail**

Patricia Gibson  
Attorney General's Office  
302 West Washington Street  
IGCS – 5<sup>th</sup> Floor  
Indianapolis, IN 46204  
**Service by Email**

Jan. 15, 2015  
Date

Lisa Chapman  
Lisa Chapman

Indiana State Board of Nursing  
Indiana Government Center South  
402 West Washington St., Room W072  
Indianapolis, IN 46204  
Phone: 317-234-2043  
Fax: 317-233-4236  
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**Explanation of Service Methods**

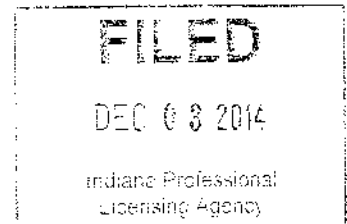
Personal Service: by delivering a true copy of the aforesaid document(s) personally.

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.

BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2012 NB 476

IN THE MATTER OF THE LICENSE OF: )  
REBECCA SHAW, L.P.N., )  
LICENSE NUMBER: 27047097A )



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

Natalie Hall, designated by the Indiana State Board of Nursing ("Board") pursuant to Ind. Code § 4-21.5-3-9 to act as an administrative law judge ("ALJ") held an administrative hearing on November 19, 2014, in Conference Room 4 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, concerning Rebecca Shaw's request to withdraw the probation from her license as a nurse.

Shaw appeared in person and waived her right to be represented by counsel. Patricia Gibson of the Attorney General's Office represented the State of Indiana.

The ALJ, after considering the evidence presented and taking official notice of the file in this matter issues the following Recommended Findings of Fact, Conclusions of Law, and Order:

**FINDINGS OF FACT**

1. Shaw, whose mailing address is 4752 North Main Street, Cayuga, Indiana 47928, is a licensed practical nurse with license number 27047097A.
2. Shaw received timely and proper notice of the date, time and location of this hearing pursuant to Ind. Code § 4-21.5-3-20.

Exhibit  
A

3. The Board is empowered to hold this administrative hearing pursuant to the authority of Ind. Code § 25-1-9-9 and Ind. Code ch. 4-21.5-3.

4. The Board renewed Shaw's license on probation in November 2012 because in her application for renewal she revealed that in the last renewal cycle her Illinois nursing license was placed on probation in May of 2012 until at least May of 2014 probation due to the fact that when working at Danville Pediatrics in Danville, Illinois, she compounded a prescription for a controlled substance and wrote out refill prescriptions prior to patients being examined.

5. In *August* 2014 Shaw requested that the probation be withdrawn from her license.

6. At the hearing on withdrawal of probation, Hanks testified that she had complied with the terms of her probation and that the State of Illinois had withdrawn her probationary status on her Illinois nursing license.

7. The deficiency that led to the probation on Shaw's license involved actions outside the scope of proper nursing practice. Shaw's compliance with her probation constitutes evidence that the deficiency that required probation has been remedied.

#### CONCLUSIONS OF LAW

1. "The board may withdraw or modify the probation ... if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed circumstances warrant a modification of the order." Ind. Code § 25-1-9-9(b).

2. Shaw's compliance with her probation constitutes evidence that the deficiency that required probation has been remedied.

**ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, the ALJ recommends the Board **WITHDRAWS** the probation on Shaw's license.

SO ORDERED, this 3<sup>rd</sup> day of December, 2014.

ADMINISTRATIVE LAW JUDGE  
INDIANA STATE BOARD OF NURSING

By:   
Nicholas W. Rhoad  
Executive Director  
Indiana Professional Licensing Agency

*for*

**NOTICE OF RIGHT TO OBJECT TO RECOMMENDED FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND ORDER**

Either party may object to the ALJ's Recommended Findings of Fact, Conclusions of Law and Order: but any objection must be filed with the Indiana State Board of Nursing, identifying the basis of the objection with reasonable particularity, no later than eighteen days from the ISSUANCE of this order unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency offices are closed during regular business hours in which case the deadline would be the first day which is not a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency offices are closed during regular business hours. The ALJ's Recommended Findings of Fact, Conclusions of Law and Order is not the final order of the Indiana State Board of Nursing in this proceeding. In the absence of any objection, the Indiana State Board of Nursing may affirm the ALJ's Recommended Findings of Fact, Conclusions of Law and Order as its final order or will serve notice of its intention to review any issue related to the ALJ's Recommended Findings of Fact, Conclusions of Law and Order.




**CERTIFICATE OF SERVICE**

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

Rebecca Shaw  
4752 North Main Street  
Cayuga, Indiana 47928  
**Service by U.S. Mail**

Patricia Gibson  
Attorney General's Office  
302 West Washington Street  
IGCS - 5<sup>th</sup> Floor  
Indianapolis, IN 46204  
**Service by Email**

12.3.14  
Date

  
Lisa Chapman

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