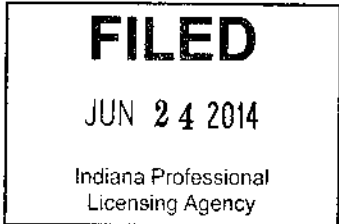


BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2014 NB 165

IN THE MATTER OF THE LICENSE OF)
)
BRITTE E. SMITH, R.N.)
)
LICENSE NO: 28177093A)



SUMMARY SUSPENSION ORDER

The Indiana State Board of Nursing (“Board”), at its regularly scheduled meeting on June 19, 2014 in the Auditorium of the Indiana Government Center, 302 West Washington Street, Indianapolis, Indiana 46204, pursuant to the authority of Ind. Code § 4-21.5-4-1 *et seq.* and Ind. Code § 25-1-9-10, by a vote of 5-0-0, **SUMMARILY SUSPENDS** the license held by Britte E. Smith, R.N. (“Respondent”), for 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.

The State of Indiana (“Petitioner”) was represented by Jessica W. Krug, Deputy Attorney General. Respondent failed to appear in person or with counsel; however, she provided a statement to the State, through her counsel, acknowledging notice of these proceedings.

This NON-FINAL emergency order is based on evidence of supporting the following findings:

1. At all relevant times, Respondent was employed as a Registered Nurse at Parkview Whitley Hospital (“Parkview”). As an employee/nurse at Parkview, Respondent had access to Pyxiss machines, which are used to store controlled substances for use in administering or dispensing these drugs to patients. Respondent had access to the medications in this machine via a designated access code unique to each employee and fingerprint identification.

2. At some point, administrators at Parkview became concerned because it was determined that from November 2013 to March 30, 2014, Respondent had accessed the Pyxis machines in two specific hospital units for the purpose of retrieving Hydromorphone on 240 transactions, and then entered the transaction to be a "cancel." During this same time period only eight (8) other employees accessed these machines for a total of eleven (11) cancelled transactions.

3. Further review of the Hydromorphone containers in these units revealed that they had been tampered with; some having had an amount of Hydromorphone removed and replaced with saline. It is believed that this tampering resulted in patients having been deprived of prescribed medication while receiving care at Parkview.

4. On April 1, 2014, Respondent submitted to a urine drug screen for her employer at tested positive for the presence of Hydromorphone and Morphine.

5. On June 17, 2014, Respondent was charged with one (1) count of Interference with Medical Services (I.C. 35-42-2-8(b) and I.C. 35-42-2-8(c)(1)), a class C Felony; one (1) count of Theft (I.C. 35-43-4-2(a)), a class D Felony; and one (1) count of Possession of a Narcotic Drug (I.C. 35-48-4-6(a)), a class D Felony. After having reviewed the Affidavit for Probable Cause, the Court found probable cause exists to believe these allegations are true and a warrant for the arrest of the Respondent was issued.

6. Criminal charges are still pending.

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 Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204.

SO ORDERED, this 24th day of June, 2014; this Order is effective as of the 19th day of June, 2014.

INDIANA STATE BOARD OF NURSING

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

CERTIFICATE OF SERVICE

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

Britte E. Smith
26 Jeffrey Drive
Columbia City, IN 46725
Service by U.S. Mail

Jessica W. Krug
8005 Castleway Drive
Indianapolis, Indiana 46250
Jessica.Krug@atg.in.gov
Service by Email

6-24-14
Date



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
Email: 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.