

Revised Statute (“KRS”) 314.091(1)(d,j) and KRS 314.021(2), in connection with her admission to confining a home health patient to his bed for over two (2) hours on April 5, 2016, without a doctor’s orders, to address the patient’s negative behaviors. Respondent was terminated from Maxim Healthcare Services for the incident and reported to the Kentucky Board on May 9, 2016.

5. In the Kentucky Agreed Order, Respondent agreed that she had violated KRS 314.091(1)(d,j), which provides:

KRS 314.091(1) The board shall have power to reprimand, deny, limit, revoke, probate, or suspend any license or credential to practice nursing issued by the board or applied for in accordance with this chapter or the privilege to practice as a nurse recognized by the board in accordance with this chapter, or to otherwise discipline a licensee, credential holder, privilege holder, or applicant, or to deny admission to the licensure examination, or to require evidence of evaluation and therapy upon proof that the person: (d) Has negligently or willfully acted in a manner inconsistent with the practice of nursing; (j) Has violated any of the provisions of this chapter.

6. KRS 314.091(d,j) is similar to Indiana nursing practice regulation 848 IAC 2-2-3(1), which sets forth:

848 IAC 2-2-3 Nursing behaviors (acts, knowledge, and practices) failing to meet the minimal standards of acceptable and prevailing nursing practice, which could jeopardize the health, safety, and welfare of the public, shall constitute unprofessional conduct. These behaviors shall include, but are not limited to, the following: (1) Using unsafe judgment, technical skills, or inappropriate interpersonal behaviors in providing nursing care.

7. In the Kentucky Agreed Order, Respondent also agreed that she had violated KRS 314.021(2), which provides:

KRS 314.021(2) All individuals licensed or privileged under provisions of this chapter shall be responsible and accountable for making decisions that are based upon the individual’s educational preparation and experience in nursing and shall practice nursing with reasonable skill and safety.

8. KRS 314.021(2) is similar to Indiana nursing practice regulation 848 IAC 2-2-2(1,2), which sets forth:

848 IAC 2-2-2 The registered nurse shall do the following: (1) Function within the legal boundaries of nursing practice based on the knowledge of statutes and rules governing nursing; (2) Accept responsibility for individual nursing actions and continued competence.

9. The terms of the Kentucky Agreed Order, effective April 26, 2017, include Respondent's voluntary surrender of her nursing license/privilege to practice nursing for a period of at least two (2) years and her relinquishment of all right, title and privilege to practice as a nurse in Kentucky until the reinstatement of her license.

VIOLATIONS

10. By having her Kentucky RN license disciplined for a violation of KRS 314.091(1)(d,j) under the April 26, 2017 Kentucky Agreed Order for Voluntary Surrender, Consent Decree, Respondent's license to practice nursing in Kentucky was disciplined on grounds similar to those set forth in 848 IAC 2-2-3(1), which is a violation subjecting Respondent to disciplinary sanctions pursuant to Ind. Code § 25-1-9-4(a)(7).

11. By having her Kentucky RN license disciplined for a violation of KRS 314.021(2), Respondent's license to practice in Kentucky was disciplined on grounds similar to those set forth in 848 IAC 2-2-2(1,2), which is a violation subjecting Respondent to disciplinary sanctions pursuant to Ind. Code § 25-1-9-4(a)(7).

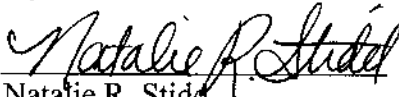
ACCORDINGLY, Petitioner demands the Board enter an order finding that:

1. Respondent is subject to discipline according to Ind. Code ch. 25-1-9;
2. Imposes the appropriate disciplinary sanctions pursuant to Ind. Code § 25-1-9-9;
3. Directs Respondent to immediately pay all costs incurred in the prosecution of this case, including a fee of Five Dollars (\$5.00) to be

deposited into the Health Records and Personal Identifying Information Protection Trust Fund pursuant to Ind. Code § 4-6-14-10(b), and;

4. Provides any further relief as the Board deems just and proper in the premises.

Respectfully submitted,
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Attorney General of Indiana
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By: 
Natalie R. Stidd,
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CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of September, 2017, a true and correct copy of the "Administrative Complaint" was served on the following party via First Class U.S. Mail, postage prepaid.

Robin Lynn Androski-Stepp
4390 Benson Pike
Shelbyville, Kentucky 40065

By: Natalie R. Stidd
Natalie R. Stidd
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