

STATE OF INDIANA,)
)
 Petitioner,)
)
 v.)
)
 KATHLEEN KAY THOMPSON, L.P.N.,)
 License Number: 27011306,)
)
 Respondent.)

FILED

MAY 10 2002

**HEALTH PROFESSIONS
BUREAU**

COMPLAINT

The State of Indiana, by counsel, Deputy Attorney General, Eleanor K. Finnell, on behalf of the Office of the Attorney General ("Petitioner"), and pursuant to Indiana Code § 25-1-7-7 et seq., Indiana Code §25-1-5-3, Indiana Code §25-23-1-7 et seq., the Administrative Orders and Procedures Act, Indiana Code § 4-21.5-3 et seq. and Indiana Code § 25-1-9 et seq. files its Complaint against the Practical Nurse license of Kathleen Kay Thompson, L.P.N. ("Respondent"), and in support alleges and states:

COUNT I

1. Respondent's address on file with the Board is 2867 West County Road, 100 South, New Castle, Indiana 47362 and she is a duly licensed practical nurse in the State of Indiana having been issued license number 27011306.
2. At all time relevant to this Complaint, Respondent worked as a licensed Practical Nurse with the Pendleton Correctional Facility, Pendleton, Indiana 46064.
3. On or about January 4, 2001, Officer G. B. was assigned to investigate allegations of Sexual Misconduct at the Pendleton Correctional Facility. G. B. was presented with six (6)

videotapes, dated from November 30, 2000 through December 8, 2000, from a surveillance camera that was placed in the ceiling of supply closet in the Health Care Center.

4. On or about January 8, 2001, the officer submitted a Probable Cause Affidavit, stating that the surveillance tape showed Respondent kissing, embracing and holding hands with inmate K. F. The tape also showed Respondent rubbing K. F.'s back, buttocks and unfastening and partially pulling down K. F.'s pants. The Affidavit further stated that Respondent appeared to touch K. F.'s genitals and begin to perform oral sex on the inmate.

5. On or about January 8, 2001, Respondent was charged in the Madison County Court with Count I, Sexual Misconduct, a Class D Felony under Cause Number 48E02-0101-DF-011. The Charging Information stated that Respondent did knowingly engage in deviate sexual conduct with K. F., a person subject to lawful detention at the Indiana Department of Correction, Pendleton Correctional Facility.

6. On or about April 7, 2001, Respondent pled guilty to Sexual Misconduct a Class D Felony. By agreement of the parties, Respondent was convicted of and sentenced as a Class A Misdemeanor. Respondent was sentenced to twelve (12) months in the Department of Corrections, suspended, twelve (12) months formal probation and court costs of \$125.00.

7. Respondent's conduct described above constitutes a violation of Indiana Code § 25-1-9-4(a)(2) in that she has been convicted of a crime that has a direct bearing on her ability to continue to practice competently; Indiana Code § 25-1-9-4(a)(5) in that she has engaged in a course of lewd or immoral conduct in connection with the delivery of services to the public; Indiana Code § 25-1-9-4(a)(3) in that she has knowingly violated any state statute or rule, or federal statute or regulation, regulating the profession in question, that is; 848 IAC 2-3-3(1) in

that she used unsafe judgment, technical skills, or inappropriate interpersonal behaviors in providing nursing care.

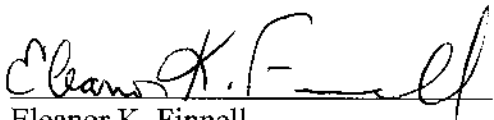
8. The above violations warrant the imposition of disciplinary sanctions against Respondent's Indiana nursing license.

WHEREFORE, Petitioner demands an order against the Respondent that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to immediately pay all costs incurred in the prosecution of this case; and;
3. Provides any further relief as the Board deems just and proper.

Respectfully submitted,

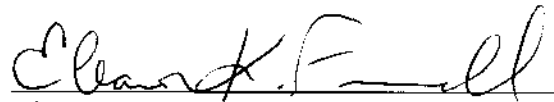
Steve Carter,
Attorney General of Indiana

By: 
Eleanor K. Finnell
Deputy Attorney General
Attorney No.: 22023-49

CERTIFICATE OF SERVICE

I certify that a copy of the "Complaint" has been duly served upon the Respondent listed below, by United States mail, first-class, postage prepaid, on this 10th day of May, 2002.

Kathleen Kay Thompson, L.P.N.
2867 West County Rd. 100 South
New Castle, IN 47362



Eleanor K. Finnell
Deputy Attorney General
Attorney No. 22023-49

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