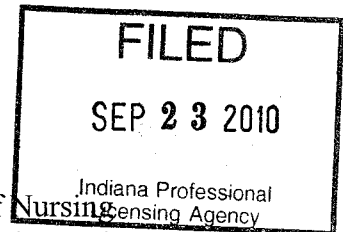


BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2009 NB 0121

IN THE MATTER OF THE LICENSE OF:
KAREN KAY TOWNSEND, L.P.N. & R.N.
License Number: 27031517A & 28117871A



FINAL ORDER

Jerry Burghduff, L.P.N. 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 September 2, 2010, concerning Karen Townsend's request to reinstate her licenses 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.

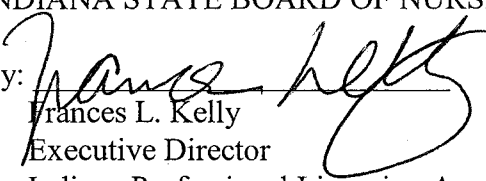
Pursuant to Ind. Code § 4-21.5-3-29(c) the Board, at its meeting of September 16, 2010, hereby affirms said Recommended Findings of Fact, Conclusions of Law and Order and adopts it as a final order in this proceeding.

Townsend's licenses will be **REINSTATED ON INDEFINITE PROBATION** after she completes six (6) hours of continuing education units in each of the following subjects: documentation, legal ethics, and assessment.

ISSUED this 23 day of September, 2010.

INDIANA STATE BOARD OF NURSING

By:


Frances L. Kelly
Executive Director

Indiana Professional Licensing Agency

Copies to:

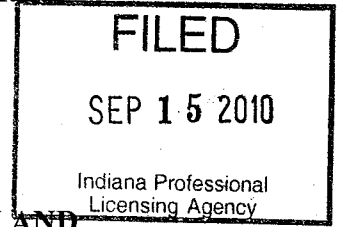
Karen Townsend, L.P.N. & R.N.
645 Woodbriar Court
Evansville, Indiana 47715

CERTIFIED MAIL NUMBER: 91 7190 0005 2720 0003 5704
RETURN RECEIPT REQUESTED

Thomas McGee
Deputy Attorney General
302 West Washington Street
IGCS – 5th Floor
Indianapolis, Indiana 46204

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2009 NB 0121

IN THE MATTER OF THE LICENSE OF:
KAREN KAY TOWNSEND, L.P.N. & R.N.
License Numbers: 27031517A & 28117871A



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

Jerry Burghduff, L.P.N. 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 September 2, 2010, in Room 19 of the Conference Center, Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana concerning Karen Townsend’s request to reinstate her licenses as a practical and registered nurse.

Townsend appeared in person and waived her right to be represented by counsel. Thomas McGee, Deputy Attorney General, 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. Townsend, whose mailing address is 645 Woodbriar Court, Evansville, Indiana 47715, is a registered nurse with license number 28117871A and a practical nurse with license number 27031517A. Her license as a practical nurse is expired.
2. Townsend 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 § 4-21.5-3.

4. The Board voted to suspend Townsend's Indiana licenses in August 2009. She had diverted narcotics from her employer in Missouri and the Missouri board placed her on probation in 2008. She failed to comply with the terms of that probation and her Missouri license was revoked in June 2009.

5. Townsend asked that her license be reinstated in a letter dated August 7, 2010.

6. At the hearing on reinstatement, Townsend testified that she entered into a new recovery monitoring agreement with ISNAP and has been in compliance with its terms for at least 6 months.

7. She has not practiced nursing in two years but has taken some continuing education units. She will need to take additional continuing education units to assure the Board that she is safe to practice.

8. Townsend has established that she may practice with reasonable skill and safety to the public if she complies with the terms of her probation.

CONCLUSIONS OF LAW

1. "The board may reinstate a license which has been suspended under this chapter if, after a hearing, the board is satisfied that the applicant is able to practice with reasonable skill and safety to the public. As a condition of reinstatement, the board may impose disciplinary or corrective measures authorized under this chapter." Ind. Code § 25-1-9-11.

2. Because Townsend has established that she may practice with reasonable skill and safety to the public if she complies with the terms of her probation, she qualifies for reinstatement of her license on probation.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the ALJ recommends that the Board issue the following Order:

1. Townsend's licenses as a nurse will be reinstated on **INDEFINITE PROBATION** *after* she documents completion of six (6) hours of continuing education units in legal/ethical issues, six (6) hours in assessments, and six (6) hours in charting/documentation. Townsend may petition to have the probationary order withdrawn after successful completion of her recovery monitoring agreement with ISNAP.

2. Townsend's practice of nursing shall be governed by the following **TERMS AND CONDITIONS:**

a) She must provide the board with her current home address, mailing address, e-mail address and residential telephone number.

b) She must notify the Board of her place of employment, employment telephone number, employment e-mail address and name of supervisor.

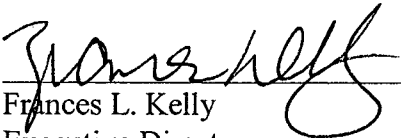
c) Townsend shall maintain her recovery monitoring agreement with ISNAP and comply with all its terms.

d) Townsend shall comply with all rules and statutes regulating the practice of nursing.

3) The failure of Townsend to comply with the terms of this order may subject her to a show cause hearing and the imposition of further sanctions.

SO ORDERED, this 15 day of September 2010.

INDIANA STATE BOARD OF NURSING

By: 

Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

**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.

Copies to:

Karen Townsend, R.N.

645 Woodbriar Court

Evansville, Indiana 47715

CERTIFIED MAIL NUMBER: 91 7190 0005 2720 0003 3014

RETURN RECEIPT REQUESTED

Thomas McGee

Deputy Attorney General

302 West Washington Street

IGCS – 5th Floor

Indianapolis, Indiana 46204

Attorney for the State of Indiana

I HAVE REVIEWED THE RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER IN THIS MATTER AND HEREBY KNOWINGLY, INTELLIGENTLY AND VOLUNTARILY WAIVE MY RIGHT TO FILE A WRITTEN OBJECTION TO THEM WITH THE INDIANA STATE BOARD OF NURSING.

Karen Townsend, L.P.N. & R.N.

Date

STATE OF _____)

)SS:

COUNTY OF _____)

Before me a Notary Public for said County and State, personally appeared Karen Townsend and signed the foregoing.

Signed and sealed this _____ day of _____, 2010.

Signature

Printed

My Commission Expires: _____

County of Residence: _____

Thomas McGee
Deputy Attorney General
Atty. No 27247-49
Attorney for the State of Indiana

Date

757105