

STATE OF INDIANA, )

Petitioner, )

v. )

PAMELA SUE WASHBURN, L.P.N., )  
LICENSE NUMBER: 27031834A, )

Respondent. )



**NOTICE OF PROPOSED DEFAULT AND EXTENSION OF SUMMARY  
SUSPENSION ORDER**

A disciplinary hearing was scheduled to be held on April 19, 2007 before the Indiana State Board of Nursing ("Board") in the Auditorium of the Conference Center, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, 46204, to consider the administrative complaint filed by the State of Indiana ("Petitioner") on March 2, 2007 against the nursing license of Pamela Sue Washburn, L.P.N. ("Respondent").

The State of Indiana was represented by Mark E. Mader, Deputy Attorney General. The Respondent failed to appear in person or by counsel.

Pursuant to Indiana Code § 4-21.5-4-1 *et seq.* and § 25-1-9-10, and after taking judicial notice of its file, the Board, by a vote of 7-0-0, hereby **ORDERS** the Respondent's nursing license be summarily suspended for an additional ninety (90) days as the Board finds that an emergency still exists and that the Respondent continues to represent a clear and immediate danger to the public health and safety if allowed to

continue to practice nursing in the State of Indiana based on the evidence in the Board's file and the following findings:

1. Respondent's address on file with the Indiana Professional Licensing Agency is 1991 North Campbell Ave., Apt 9, Indianapolis, Indiana, 46218, and she is duly licensed as a licensed practical nurse in the State of Indiana having been issued license number 27031834A.

2. The Respondent was admitted to Community North Hospital on March 31, 2006 for an intentional overdose of alcohol and trazodone.

3. On May 23 2006, the Indiana State Nurses Assistance Program ("ISNAP") Clinical Team met to discuss Respondent's failure to respond to ISNAP. The ISNAP Clinical Team agreed to contact Gallahue to see if she had effectively engaged in their Intensive Outpatient Program ("IOP").

4. On June 6, 2006, ISNAP contacted Respondent who stated that she had been in treatment at Gallahue but had to drop out due to illness and car problems.

5. On June 26, 2006, the Respondent's assessment received from Dr. Tim Kelly, Addictionist, diagnosed Respondent with alcohol dependence and poly-substance dependence.

6. On June 27, 2006, the ISNAP Clinical Team met and recommended a standard three year recovery monitoring agreement ("RMA") through June 28, 2009. Respondent stated that she was scheduled to begin the Gallahue IOP.

7. On July 12, 2006, Barbara Berry, therapist, confirmed that Respondent had effectively engaged in their IOP.

8. On July 13, 2006, Respondent returned her recovery monitoring agreement. ISNAP also learned that Respondent had accepted a job without ISNAP's authorization or knowledge. Respondent was instructed to do a urine drug screen that day. Her worksite confirmation was completed by ISNAP. Her urine drug screen frequency was increased because of her employment.

9. On August 3, 2006, the Respondent called ISNAP and stated that she was ill when ISNAP requested that she do a urine drug screen. She was instructed to do a urine drug screen the following day. Also, her therapist called to express concerns about the Respondent's IOP attendance.

10. On August 9, 2006, the Respondent's urine drug screen from August 4, 2006 tested positive for cocaine. Respondent admitted to use and was asked to refrain from employment until her re-assessment process was completed. She was scheduled to see Toni Black ("Black") on August 17, 2006. Respondent's employment was terminated.

11. On August 17, 2006, Black called to discuss Respondent's lack of recovery. Respondent was referred to the partial hospitalization program.

12. On September 1, 2006, the results of Respondent's urine drug screen of August 24, 2006 were received indicating a positive response for cocaine. Respondent's therapist recommended residential treatment such as TARA. Respondent stated that she could not afford TARA.

13. On November 1, 2006, the ISNAP Clinical Team met and referred Respondent to either Dove House or Beacon House.

14. On November 17, 2006, Respondent was called, and a voice mail instruction was left for her to do an "observed" urine drug screen. This, in part, was due to her dishonesty about still being in IOP and doing well. Her therapist stated that her case was closed at Gallahue due to her lack of involvement.

15. On November 22, 2006, Respondent called to state that she was out of town and did not do the "observed" urine drug screen.

16. On November 29, 2006, the results of Respondent's urine drug screen from November 21, 2006 were received indicating a positive test for cocaine. Respondent was instructed to contact ISNAP by December 1 or her file would be closed. The Respondent failed to contact ISNAP as instructed.

17. On December 5, 2006 the ISNAP Clinical Team met and agreed that Respondent's file should be closed for continued use of drugs and failing to follow through with their treatment recommendations for her.

18. On December 18, 2006, ISNAP closed her case and forwarded her file to the Office of the Attorney General for further proceedings.

19. ISNAP records indicated three (3) positive urine drug screens for cocaine.

20. ISNAP determined that the Respondent's license was currently active, that she appeared to be in active relapse, that she had not followed through with ISNAP's recommendations, that her last urine drug screen had been November 7, 2006, and that she had missed her past four drug screen requests.

21. ISNAP indicated that it cannot assure her to safely practice nursing and that her case dynamics are clearly consistent with risk to public safety.

The Board, after taking official notice of its file in the matter and pursuant to Ind. Code § 4-21.5-3-24, by a vote of 7-0-0, also issues a Notice of Proposed Default Order on the following grounds:

1. An administrative complaint was filed by the Petitioner against the Respondent in this matter on or about March 2, 2007.

2. On March 6, 2007, the Indiana Professional Licensing Agency sent a notice to Respondent at her last reported address, informing Respondent of the date, time, and place of the disciplinary hearing scheduled for April 19, 2007. Proof of delivery was received.

3. Pursuant to Ind. Code § 4-21.5-3-20, Respondent was provided adequate notice of the disciplinary hearing and failed to appear in person or by counsel for the scheduled hearing on April 19, 2007.

### **ORDER**

WHEREFORE, RESPONDENT IS ORDERED to immediately cease and desist from all acts constituting the practice of nursing for an additional period of ninety (90) days from the date of this Order.

IT IS FURTHER ORDERED, that Respondent shall immediately surrender her pocket license and wall license to the Board, in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204.

IT IS FURTHER ORDERED, that for the Respondent's failure to appear for the scheduled hearing, the Board issued the following Notice of Proposed Default:

In accordance with Ind. Code § 4-21.5-3-24, the Respondent must file a written motion within seven (7) days of service of this Order requesting that the Board not enter a

default order in this case and stating the reasons relied upon for that request. Failure of the Respondent to file such a written motion within seven (7) days shall result in the issuance of a default order. If the Respondent timely files a motion, the Board shall consider said motion along with any relevant facts in determining whether a default order should be entered. Should a default order be entered against the Respondent, the Board may hold further proceedings it deems appropriate to complete this case without the participation of the Respondent.

SO ORDERED, this 03 day of May 2007.

INDIANA STATE BOARD OF NURSING

By: Frances L. Kelly  
 Frances L. Kelly  
 Executive Director  
 Indiana Professional Licensing Agency

Copies to:

Pamela Sue Washburn, LPN  
 1991 North Campbell Ave., Apt 9  
 Indianapolis, Indiana 46218  
**CERTIFIED MAIL NUMBER: 7005 3110 0002 4935 7676**  
**RETURN RECEIPT REQUESTED**

Deputy Attorney General Mark E. Mader  
 Office of the Attorney General  
 Indiana Government Center South  
 302 West Washington Street, Fifth Floor  
 Indianapolis, IN 46204-2770

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PS Form 3800, June 2002		See Reverse for Instructions	