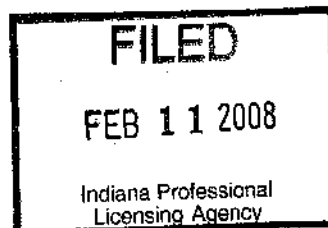


BEFORE THE INDIANA STATE  
BOARD OF NURSING  
CAUSE NUMBER: 2006 NB 0110

STATE OF INDIANA, )  
)  
Petitioner, )  
)  
v. )  
)  
JILL RAE WERLINGER, R.N. )  
LICENSE NUMBER: 28126503A, )  
)  
Respondent. )



**FINDINGS OF FACT, ULTIMATE FINDING OF FACT, CONCLUSION OF LAW AND**

**ORDER**

The Indiana State Board of Nursing ("Board") held an administrative hearing on January 17, 2008 in the Auditorium of the Conference Center, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, concerning the Order to Show Cause filed by the Board against Jill Raw Werlinger, R.N. ("Respondent") on November 7, 2007.

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

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 8-0-0, found the Respondent to be in default. The Board then held further proceedings in the Respondent's absence, and, after hering evidence presented and taking official notice of its file in the matter, by a vote of 8-0-0, issues the following Findings of Fact, Ultimate Finding of Fact, Conclusion of Law and Order:

## FINDINGS OF FACT

1. The Respondent's address on file with the Indiana Professional Licensing Agency is 8287 Deborah Court, Brownsburg, IN 46112 and she is a licensed Registered Nurse in the State of Indiana having been issued license number 28126503A in 1994.

2. On or around December 20, 2006, the Board issued a Final Order against the Respondent placing her Indiana nursing license on Indefinite Probation with the term and condition that "Respondent shall comply with all the recommendations of the Indiana State Nurses Assistance Program ("ISNAP") for the entire length of her probation."

3. On or around May 3, 2007, Respondent entered into a three (3) year Recovery Monitoring Agreement ("RMA") with ISNAP. Respondent had been diagnosed with opioid and alcohol dependence.

6. On or around May 14, 2007, Respondent's May 7, 2007 urine drug screen showed a "diluted" result.

7. On or around June 7, 2007, Respondent's May 24, 2007 urine drug screen showed a positive result for alcohol. ISNAP left a voice mail for the Respondent to contact ISNAP as soon as possible. Respondent failed to return ISNAP's call.

8. On or around July 19, 2007, Dr. Richard Hinchman informed ISNAP that the Respondent failed to appear for her required quarterly addictionologist appointment.

9. On or around August 8, 2007, ISNAP notified the Board that the Respondent was non-compliance with her ISNAP RMA.

10. On or around November 7, 2007, the Indiana Professional Licensing Agency sent notice to the Respondent, by certified and regular mail to her address on record with the Board of

the date, time and location of the Order to Show Cause hearing scheduled for December 13, 2007. Notice was also sent to 224 N. Green Street, Brownsburg, Indiana 46112.

11. Pursuant to Indiana Code § 4-21.5-3-20, Respondent was provided adequate notice of the final hearing date and failed to appear for the scheduled hearing on December 13, 2007.

12. On December 13, 2007, the Board issued a Notice of Proposed Default Order. The Notice of Proposed Default Order was mailed by certified and regular mail to the Respondent at her last known addresses.

13. Respondent failed to respond to the Board's Notice of Proposed Default Order within seven (7) days as required by Indiana Code § 4-21.5-3-24.

14. On January 17, 2008, the Board voted to hold the Respondent in default and found the Respondent to be in violation for not abiding by the terms and conditions of her probation as described in the Board's December 20, 2006 Final Order.

#### **ULTIMATE FINDING OF FACT**

Respondent's conduct constitutes a violation of Indiana Code § 25-1-9-4(a)(10) in that the Respondent has failed to comply with an order imposing sanction under section 9 of this chapter.

#### **CONCLUSION OF LAW**

Respondent's violation is cause for disciplinary sanctions that may be imposed singly or in combination such as censure, a letter or reprimand, probation, suspension, or revocation and a fine up to the amount of \$1,000 per violation as detailed in Indiana Code § 25-1-9-9.

#### **ORDER**

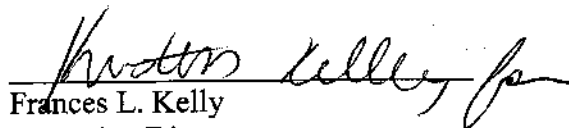
Based upon the above Findings of Fact, the Board issues the following Order:

1. Respondent's Indiana nursing license is placed on **INDEFINITE SUSPENSION**.
2. Prior to petitioning for reinstatement, the Respondent shall have one (1) year of compliance with an ISNAP RMA.
3. Prior to petitioning for reinstatement, Respondent shall pay to the Indiana Professional Licensing Agency a **FINE** in the amount of **FIVE HUNDRED DOLLARS (\$500)**.
4. Prior to petitioning for reinstatement, Respondent shall pay to the Indiana Professional Licensing Agency **COSTS** in the amount of **three dollars and sixty cents (\$3.60)**.
5. Prior to petitioning for reinstatement, Respondent shall pay to the Indiana Attorney General's Office **COSTS** in the amount of **seventeen dollars and seventy-three cents (\$17.73)**.
6. Respondent further understands that a violation of the Final Order or any non-compliance with the statutes or regulations regarding the practice of nursing may result in the State requesting an emergency suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Indiana Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

**SO ORDERED**, this 11<sup>th</sup> day of February, 2008.

INDIANA STATE BOARD OF NURSING

By:

  
Frances L. Kelly  
Executive Director  
Indiana Professional Licensing Agency

Copies to:

Jill Rae Werlinger  
8287 Deborah Court

Brownsbug, Indiana 46112

**SENT CERTIFIED MAIL NO. 7002 2410 0002 4162 6896**

**RETURN RECEIPT REQUESTED.**

Deputy Attorney General Laura E. Wilford  
OFFICE OF THE INDIANA ATTORNEY GENERAL  
Indiana Government Center South  
302 West Washington Street, Fifth Floor  
Indianapolis, IN 46204-2770