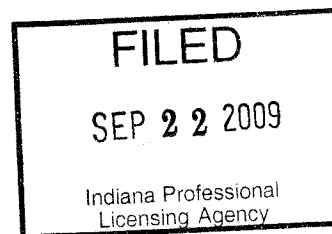


BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2009 NB 167

IN THE MATTER OF THE LICENSE OF)
)
RACHEL R. THIBIDEAU, L.P.N.)
)
LICENSE NO: 27043707A)
)



COMPLAINT

This complaint is brought against the nursing license of Rachel R. Thibideau, L.P.N. (“Respondent”), by the Office of the Attorney General, by counsel, Deputy Attorney General, Morgan L. Burton on behalf of the State of Indiana (“Petitioner”) and pursuant to Ind. Code §25-1-7-7, Ind. Code §25-1-5-3, Ind. Code §25-23-1-7 et seq., the Administrative Orders and Procedures Act, Ind. Code §4-21.5-3 et seq. and Ind. Code §25-1-9-1 et seq. and in support alleges and states:

FACTS

1. The Respondent’s address on file with the Indiana Professional Licensing Agency is 121 Hillside Circle, Charlestown, IN 47111 and she is a Licensed Practical Nurse (“L.P.N.”) in the State of Indiana having been issued license number 27043707A. Respondent’s L.P.N. license expires on October 31, 2010.
2. On or about November 13, 2007, Respondent submitted a check for one-hundred twenty dollars (\$120) to the Kentucky Nursing Board in payment of the reinstatement of her Kentucky nursing license.
3. On or about November 26, 2007, Respondent’s unpaid check was returned to the Kentucky Nursing Board with a notation that there were “Insufficient Funds” in the

Respondent's checking account. The Kentucky Board mailed a letter to Respondent requesting payment.

4. On or about January 3, 2008, the Kentucky Board filed an administrative complaint against her nursing license for failure to pay.

5. On or about March 27, 2008, Respondent's Kentucky nursing license was temporarily suspended for her failure to pay the licensure fee and the returned check fee. The Kentucky Board found her in violation of KRS 314.091(1)(a) – is guilty of fraud or deceit in procuring or attempting to procure a license, credential, or privilege to practice nursing.

6. On or about October 31, 2008, Respondent renewed her Indiana L.P.N. license and answered "NO," to all questions including question number one, which asks "Has any Health Profession license, certificate, registration, or permit you hold or have held been disciplined or are formal charges pending?"

7. Respondent's nursing license in Kentucky is currently suspended.

COUNT I

1. Respondent violated Ind. Code §25-1-9-4(a)(1)(A) in that the Respondent engaged in or knowingly cooperated in material deception in order to obtain a license to practice as evidenced by her failure to disclose the temporary suspension on her Kentucky L.P.N. license on her October 31, 2008 Indiana license renewal.

2. Respondent's failure to comply with the above referenced standards is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, revocation of license, and a fine up to the amount of \$1000.00 per violation, as detailed at Ind. Code §25-1-9-9.

COUNT II

1. Respondent's conduct constitutes a violation of Indiana Code § 25-1-9-4(a)(7) in that the Respondent has had disciplinary action taken against her Kentucky license on grounds similar to those under this chapter, to wit: Indiana Code § 25-1-9-4(a)(1)(A) in that Respondent engaged in material deception in order to obtain a license to practice as evidenced by her failure to pay her licensure fee or returned check fee.

2. Respondent's failure to comply with the above referenced standards is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, revocation of license, and a fine up to the amount of \$1000.00 per violation, as detailed at Ind. Code §25-1-9-9.

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.

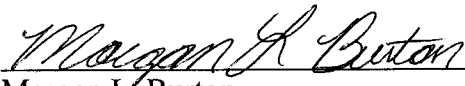
Respectfully submitted,
Gregory F. Zoeller,
Attorney General of Indiana

By: Morgan L. Burton
Morgan L. Burton
Deputy Attorney General
Attorney No.: 26152-10A

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 22nd day of September 2009.

Rachel Thibideau
121 Hillside Circle
Charlestown, IN 47111



Morgan L. Burton
Deputy Attorney General
Attorney No.: 26152-10A

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