BEFORE THE INDIANA
STATE BOARD OF NURSING
CAUSE NUMBER: 93 NB 003

STATE OF INDIANA,

Petitioner,

v.

SANDRA LEE JOHNSON, L.P.N.
License Number: 27029667A

Respondent.

FILED
APR 27 2005
HEALTH PROFESSIONS
BUREAU

FINAL ORDER

Celinda Kay Leach, R.N., designated by the Indiana State Board of Nursing ("Board"), pursuant to IC 4-21.5-3-9 to act as an administrative law judge ("ALJ"), held an administrative hearing on March 21, 2005 concerning Sandra Lee Johnson's ("Respondent") request to reinstate her license as a practical 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 IC 4-21.5-3-29(c) the Board, at its meeting of April 21, 2005, hereby affirms said Recommended Findings of Fact, Conclusions of Law and Order and adopts it as a final order in this proceeding.

The request to reinstate Respondent's license is DENIED. Respondent's license will remain on Indefinite Suspension.

ISSUED this 27 day of April, 2005.

INDIANA STATE BOARD OF NURSING

By: _____
Francis L. Kelly
Executive Director
Health Professions Bureau

Copies to:

Sandra Lee Johnson
10977 Horseshoe Drive
Indianapolis, Indiana 46234
CERTIFIED MAIL NUMBER: 7003 3110 0003 5660 3378
RETURN RECEIPT REQUESTED

Carrie E. Harmon
Deputy Attorney General
Office of the Attorney General
302 West Washington Street, Fifth Floor
Indianapolis, Indiana 46204-2770

BEFORE THE INDIANA
STATE BOARD OF NURSING
CAUSE NUMBER: 93 NB 003

STATE OF INDIANA,

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SANDRA LEE ZINN JOHNSON, L.P.N.
License Number: 27029667A

Respondent.

MAR 29 2005
HEALTH PROFESSIONS BUREAU

RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Celinda Kay Leach, R.N., designated by the Indiana State Board of Nursing ("Board"), pursuant to IC 4-21.5-3-9 to act as an administrative law judge ("ALJ"), held an administrative hearing on March 21, 2005, in Room W064 of Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana concerning the request of Sandra Lee Zinn Johnson, L.P.N. ("Respondent") to reinstate her license as a practical nurse.

Carrie E. Harmon, Deputy Attorney General, appeared for the State of Indiana. Respondent appeared in person and waived her right to be represented by counsel.

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. The Respondent, Sandra Lee Zinn Johnson, L.P.N., whose mailing address is, 10977 Horseshoe Drive, Indianapolis, Indiana 46234, is a practical nurse with license number 27029667A.

2. On August 31, 1993, the Board placed Respondent's license on Indefinite Suspension. The Board found the Respondent subject to disciplinary sanctions due to her addiction to, abuse of, or severe dependency upon alcohol and other drugs, diversion of a legend drug, diverting prescription drugs for own or another person's use, obtaining a legend drug by fraud, deceit, misrepresentation or subterfuge, and intentionally making a false statement in any prescription, drug order, order, report

Exhibit A

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or record, and falsifying documentation of nursing actions on the official patient record.

3. The Respondent requested reinstatement of her license on April 7, 1994. A hearing was held on July 21, 1994, and the Board voted to deny Respondent's request for reinstatement.

4. The Respondent requested reinstatement of her license on April 20, 1995. A hearing was haled on June 22, 1995, resulting in an Order Denying Reinstatement being issued on July 12, 1995.

5. The Respondent requested reinstatement of her license on or around December 1, 2004.

4. The Respondent received timely and proper notice of the date, time and location of this hearing pursuant to Indiana Code 4-21.5-3-20.

5. The Board is empowered to hold this administrative hearing pursuant to the authority of Indiana Code 25-1-9-9 and Indiana Code 4-21.5-3.

6. At the reinstatement hearing the Respondent testified that she had been convicted of Driving Under the Influence in 1993, 2000, and 2002.

7. The Respondent further testified that she has been sober since 2002, but could provide no documentation to that effect.

8. The Respondent could provide no documentation of attendance of AA/NA meetings or group counseling.

9. The Respondent testified that she had previously been placed on lithium, Wellbutrin, and Prozac, but discontinued her medications upon becoming pregnant. The Respondent voiced an intention to go back on the medications after having her baby in approximately one (1) month. Respondent claims she has an appointment to see a psychiatrist.

10. The Respondent testified that she completed all terms of her probation for her most recent D.U.I., and submitted documentation to that effect.

11. The Respondent testified that she had attempted to contact the Indiana State Nurse's Assistance Program ("ISNAP"), but no one returned her message.

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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." IC 25-1-9-11.

2. The Respondent provided no evidence of sobriety, of AA/NA meeting attendance, or of psychological fitness to practice.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Administrative Law Judge recommends that the Board DENY Respondent's request to reinstate and CONTINUE the suspension of the Respondent's license.

SO ORDERED, this 29 day of March, 2005.

INDIANA STATE BOARD OF NURSING

Celinda Kay Leach

CELINDA KAY LEACH, R.N.
ADMINISTRATIVE LAW JUDGE

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 Health Professions Bureau's 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 Health Professions Bureau's 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.

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Copies to:

Sandra Lee Zinn Johnson
10977 Horseshoe Drive
Indianapolis, Indiana 46234
CERTIFIED MAIL NUMBER: 7003 3110 0003 5658 5780
RETURN RECEIPT REQUESTED

Carrie E. Harmon
Deputy Attorney General
Office of the Attorney General
302 West Washington Street, Fifth Floor
Indianapolis, Indiana 46204-2770

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