

STATE OF INDIANA, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 Marla J. Thompson, R. N., )  
 License Number: 28135683A, )  
 )  
 Respondent. )

FILED

MAY 09 2005

HEALTH PROFESSIONS  
BUREAU

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

An Order to Show Cause was scheduled to be held on March 17, 2005, before the Indiana State Board of Nursing ("Board") in the Auditorium of the Conference Center in the Indiana Government Center South, 302 W. Washington Street, Indianapolis, Indiana, 46204, to consider the Order to Show Cause filed on or about February 9, 2005, against the Respondent Marla J. Thompson, R.N., by the State of Indiana ("Petitioner").

The State of Indiana was represented by Shelley M. Johnson, Deputy Attorney General. Respondent failed to appear in person or by counsel.

Pursuant to Indiana Code § 4-21.5 *et seq.* and § 25-1-9-10, and after taking judicial notice of its file, the Board, by a vote of 6-0-0, hereby **ORDERS** the Respondent's nursing license be summarily suspended for ninety (90) days, as the Board finds that an emergency exists as the Respondent represents a clear and immediate danger to the public health and safety if allowed to continue to practice in the State of Indiana based on the evidence in the Board's file and the following findings:

Respondent was referred to ISNAP on May 6, 2005 by the Office of the Attorney General because of two driving while intoxicated offenses and showing up to work under

the suspicion of being intoxicated. Respondent was diagnosed with being alcohol dependent. On or about October 28, 2004, Respondent signed a three year Recovery Monitoring Agreement with ISNAP through October 8, 2007. Respondent was issued a probationary license with the State of Indiana and was required to sign a Recovery Monitoring Agreement and to comply with the Recovery Monitoring Agreement with ISNAP.

On November 17, 2004 and January 7, 2005 Respondent's urine drug screens were "out of normal range." On November 29, 2004, Respondent had a positive urine drug screen for EtG @ 740ng/mL. Respondent stated she had a cold and was taking Nyquil. On or about December 16, 2005, Respondent was sent an addendum stating that ISNAP would not accept a "cough syrup" explanation for a positive EtG.

Respondent's case is being closed at her request because monitoring causes her too much anxiety and she cannot afford to be involved in monitoring at this time. She was encouraged to apply for the scholarship fund.

Pursuant to Indiana Code § 4-21.5-3-24, the Board, by a vote of 6-0-0, also **ISSUES** a Notice of Proposed Default Order on the following grounds:

1. Respondent is a registered nurse in the State of Indiana holding license number 28135683A. Her address on file with the Board is 16925 "C" Road, Cottonwood, CA 96022.
2. An Order to Show Cause was filed by the Indiana State Board of Nursing in this matter on February 9, 2005.

3. On February 10, 2005, the Health Professions Bureau sent a notice to Respondent at her listed address, informing her of the time, date, and place of the final hearing on this matter. The notice was returned unclaimed.

4. On March 17, 2005, Respondent failed to appear for the hearing in person or by counsel.

5. Pursuant to I.C. 4-21.5-3-20, Respondent was provided adequate notice of the date and time of the final hearing date and failed to appear for said hearing on March 17, 2005.

### **ORDER**

**WHEREFORE, RESPONDENT IS ORDERED** to immediately cease and desist from all acts constituting the practice of nursing for a 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 Health Professions Bureau, 402 West Washington Street, Room W066, Indianapolis, Indiana 46204.


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

In accordance with Indiana 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 her 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 other 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 9 day of May, 2005.

INDIANA STATE BOARD OF NURSING

  
By: Frances L. Kelly  
Executive Director  
Health Professions Bureau

Copies to:

Marla Thompson, R.N.  
16925 "C" Road  
Cottonwood, CA 96022

**SENT CERTIFIED MAIL NO. 7003 3110 0003 5660 0353**  
**RETURN RECEIPT REQUESTED**

Shelley M. Johnson, Deputy Attorney General  
**OFFICE OF THE ATTORNEY GENERAL**  
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IGCS 5<sup>th</sup> Floor  
Indianapolis, Indiana 46204-2770  
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