BEFORE THE INDIANA STATE BOARD OF NURSING
CAUSE NO: 2013 NB 017

IN THE MATTER OF THE LICENSE OF:)
)
LAUREN STRAUSS, L.P.N.,)
LICENSE NO: 27057111A)

FILED
JUL 01 2014
Indiana Professional Licensing Agency

ORDER TO SHOW CAUSE

Comes now the Indiana State Board of Nursing ("Board"), on its own motion and pursuant to Ind. Code ch. 25-1-9 and Ind. Code § 4-21.5-3-20, and hereby issues the following Order to Show Cause:

The Board hereby notifies Lauren Strauss ("Respondent) 1149 Spicewood Drive, Clarksville, Indiana 47129, to appear before the Board on **August 21, 2014 at 9:00 a.m.,** Local Time, in the Auditorium of the Indiana Government Center- South 302 West Washington Street, Indianapolis, Indiana 46204, to show cause why Respondent's practical license, license number 27057111A, in the State of Indiana, should not be placed on emergency suspension or subjected to the imposition of further sanctions. Notice has also been provided to 2658 Knob View Drive, New Albany, Indiana 47150. Respondent has violated his probation by not complying with the terms and conditions outlined in the Decision on License Renewal Application filed on January 28, 2013, which is attached hereto and incorporated herein by reference as Exhibit A and B correspondence from IPLA dated June 26, 2014.

1. This ORDER is based upon the Respondent's non-compliance with the following:

a. Respondent must comply with the terms of the Decision on License Renewal Application.

2. This notice is being provided to counsel for the State of Indiana, Kathryn Shively, Paralegal, Office of the Attorney General, 302 West Washington Street, 5th Floor, Indianapolis, Indiana 46204, telephone number (317) 233-6956.

3. Any party may be advised or represented by counsel at the party's own expense. The Board is empowered to hold this hearing pursuant to Ind. Code ch. 25-1-9 and Ind. Code art. 4-21.5. The Board will be presiding as administrative law judge.

4. Carri Burke, Compliance Director, may be contacted to obtain information regarding hearing schedules and procedures by mail in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204, or may be contacted by telephone at (317) 234-2043 or by e-mail at pla2@pla.in.gov.

5. A party who fails to attend or participate in a pre-hearing conference, hearing or other later stage of this proceeding may be held in default or have the proceeding dismissed under Ind. Code § 4-21.5-3-24.

ORDERED this 1ST day of July, 2014.

INDIANA STATE BOARD OF NURSING

By: eCrawford for
Nicholas W. Rhoad
Executive Director
Indiana Professional Licensing Agency

BEFORE THE INDIANA STATE BOARD OF NURSING
CAUSE NUMBER: 2013 NB 017

IN THE MATTER OF THE LICENSE RENEWAL APPLICATION OF: LAUREN STRAUSS, L.P.N. LICENSE NUMBER: 27057111A

FILED
JAN 28 2013
Indiana Professional Licensing Agency

DECISION ON LICENSE RENEWAL APPLICATION

The Indiana State Board of Nursing ("Board") requested that Lauren Strauss ("Applicant") personally appear before a representative of the Board on January 3, 2013, for the purpose of providing information and answering questions concerning her application to renew her license to practice as a nurse.

The Applicant appeared in person.

The Board, at its meeting on January 17, 2013, considered the recommendation of the Board representative and the information presented by the Applicant, and reviewed its file in this matter. Thereafter, they voted 7 to 0 to issue the following decision.

FACTS

1. The Applicant, whose mailing address is 1149 Spicewood Drive, Clarksville, Indiana 47129, submitted an application to the Board to renew her license as a practical nurse.

2. In her application she revealed that during the last renewal cycle she was convicted of possession of a controlled substance (heroin). She maintains the heroin belonged to a friend and it was not hers. She will be on criminal probation for two years.

3. Strauss needs to contact the Indiana State Nurses Assistance Program ("ISNAP").

Exhibit A

4. The Applicant is in agreement with the Board that her license as a practical nurse be renewed and that the license be placed on probationary status.

TERMS AND CONDITIONS

Based upon the foregoing, the Board renews the license of the Applicant pursuant to Ind. Code § 25-1-5-4(g)(5) as follows:

1. The Applicant's license as a practical nurse will be renewed on **INDEFINITE PROBATION.** The Applicant may petition to have the probationary order withdrawn after the completion of her recovery monitoring agreement with ISNAP or the completion of her criminal probation. In either event, the duration of her probation will be the longer of those two periods of time.

2. The Applicant's practice as a nurse shall be governed by the following **TERMS AND CONDITIONS:**

a) The Applicant must keep the Board apprised of the following information in writing and update it as necessary:

1. The Applicant's current home address, mailing address, e-mail address, and residential telephone number.
2. The Applicant's place of employment, employment telephone number, employment e-mail address, and name of supervisor.

b) The Applicant shall provide a copy of all Board orders, including this one, imposing discipline or limiting practice to any nursing employer who shall sign and return a copy of such orders to the Board within ten (10) days of employment or receipt of the Order.

c) The Applicant shall cause her nursing employer to submit quarterly reports to the Board indicating her professional competence, sense of responsibility, work habits, mental attitude, and ability to work with others. If the Applicant is unemployed as a nurse, she must submit quarterly reports to the Board on her personal circumstances.

d) The Applicant shall immediately contact ISNAP, sign a recovery monitoring agreement and comply with its terms.

e) The Applicant shall immediately supply the Board with the docket entries from her criminal case as well as documents detailing the terms of her criminal probation.

f) The Applicant shall comply with all statutes and rules regulating the practice of nursing in Indiana, comply with her criminal probation, and report any future arrests to the Board.

3. The failure of the Applicant to comply with the terms of this decision may subject her to a show cause hearing and the imposition of further sanctions, including emergency suspension of her license.

SO ORDERED, this 28 day of January, 2013.

INDIANA STATE BOARD OF NURSING

By: _____

Virgil R. Madden
Executive Director
Indiana Professional Licensing Agency

NOTICE OF RIGHT TO PETITION FOR REVIEW OF THIS DECISION

You may petition for review of this decision under IC 4-21.5-3-7. The petition must be filed with the Indiana State Board of Nursing in writing, identifying the reasons for review and demonstrating that you have been aggrieved or adversely affected by the Board's decision. The petition for review must be filed no later than eighteen days from the issuance of this decision unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency'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 Indiana Professional Licensing Agency's offices are closed during regular business hours.

If your petition for review is timely filed and review granted, you will receive notification of an administrative hearing. You or your representative must be present at that hearing. You have the right to be represented by an attorney at your own expense. A deputy attorney general may be present to represent the State of Indiana. As petitioner, you will have the burden of proving that the Board's decision is incorrect.

CERTIFICATE OF SERVICE

I certify that a copy of the Decision on License Renewal Application been duly served upon:

Lauren Strauss
1149 Spicewood Drive
Clarksville, IN 47129
Service by U.S. Mail

1.28.13
Date

Lisa Chapman
Signature

Indiana State Board of Nursing
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2043
Fax: 317-233-4236
Email: pla2@pla.in.gov

Explanation of Service Methods
Personal Service: by delivering a true copy of the aforesaid document(s) personally.
Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.
Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

INDIANA STATE NURSES ASSISTANCE PROGRAM
2915 N. High School Rd., Indianapolis, IN 46224
(317) 295-9862•(800) 638-6623•Fax (317) 297-3525
www.IndianaNurses.org

DATE: June 26th, 2014

TO: Kathryn Shively – Case Analyst; Office of the Attorney General
402 West Washington Street – IGCS, 5th Floor; Indianapolis, Indiana 46204

FROM: Chuck Lindquist; MA, M. Div.; ISNAP – Program Director
2915 High School Road; Indianapolis, Indiana 46224

RE: Lauren N. Strauss – License #: 27057111A – Probation

COMMENTS: Ms. Strauss has had four positive urine drugs screens (UDS) while in monitoring.

- 01.28.13 – Ms. Strauss called to enroll with ISNAP. Ms. Strauss had a personal appearance and was arrested for possession of heroin. Ms. Strauss stated that it was her passenger's heroin. Ms. Strauss was on "silent probation" for one year. Ms. Strauss' nursing license was placed on probation and she was directed to contact ISNAP. Ms. Strauss denied any heroin use or other drug use. Ms. Strauss was referred to Lifesprings for an assessment.

- 04.01.14 – The assessment was received from Teresa, LCSW. Ms. Strauss was diagnosed with a generalized anxiety disorder but was not given a substance use disorder (SUD) diagnosis. Her global assessment of functioning scale was 48. Ms. Strauss' UDS was invalid as she had dropped the sample into the toilet and was not able to produce another sample. Ms. Strauss was referred to individual counseling.

- 04.02.13 – Clinical Team (CT) reviewed Ms. Strauss' assessment and recommended a six month RMA. The RMA was returned on 04.17.13.

- 04.03.13 – Worksite monitor (WSM) confirmation completed with Vicki Gregory, RN, Kindred/Wedgewood, Clarksville, Indiana, phone #: 812-948-0808.

- 04.24.13 – Ms. Strauss' UDS was dilute with a creatinine of .06. Ms. Strauss' UDS of 07.12.13 was also dilute with a creatinine of .10.

- 10.09.13 – Ms. Strauss' UDS was positive for tramadol. Ms. Strauss had not provided a prescription. Ms. Stauss' RMA was extended six months.

- 10.30.13 – Quarterly compliance report and Ms. Strauss was in full compliance. Ms. Strauss' compliance history was as follows:
  - 02.11.14 – Quarterly compliance report and Ms. Strauss was in partial compliance.
  - 05.15.14 – Quarterly compliance report and Ms. Strauss was in full compliance.

- 04.16.14 – Ms. Strauss' UDS was positive for alcohol with an EtG of greater than 10,000. Ms. Strauss admitted to drinking. CT referred Ms. Strauss back to Lifesprings for a reassessment and extended her RMA for six months.

- 05.14.14 – Ms. Strauss' UDS was positive for EtG @ 787 ng/ml. The UDS on 05.19.14 was also positive for EtG @ 2503 ng/ml. Ms. Strauss denied drinking and stated that she had used Nyquil and melatonin. Ms. Strauss' therapist confirmed that Ms. Strauss denied drinking but her SASSI indicated high defensiveness.

- 06.18.14 – CT reviewed the two additional positive UDS's and recommended an OTSC hearing.

- 06.25.14 – A OTSC memo was typed and e-mailed to the AG's office/IPLA.

Ms. Strauss' nursing license is currently on probation. Due to recent positive UDS's, ISNAP is recommending an OTSC hearing. Ms. Strauss' INSPECT confirms only one prescription for 15 tablets of hydrocodone on 01.07.14. Ms. Strauss submitted a prescription. Ms. Strauss' WSM has been notified of the OTSC memo.

Cc: Lauren N. Strass, 1149 Spicewood Drive, Clarksville, Indiana 47129

Exhibit
B

CERTIFICATE OF SERVICE

I certify that a copy of the "Order to Show Cause" has been duly served upon:

Lauren Strauss
1149 Spicewood Drive
Clarksville, Indiana 47129
Service by US Mail.

Lauren Strauss
2658 Knob View Drive
New Albany, Indiana 47150
Service by US Mail.

Kathryn Shively
Office of the Attorney General
IGCS, 5th Floor
302 West Washington Street
Indianapolis, Indiana 46204
Service by E-mail.

7/1/14
Date

Rachelle A. Smith
Rachelle A Smith, Litigation Specialist

Indiana State Board of Nursing
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2043
Fax: 317-233-426
Email: pla2@pla.in.gov

Explanation of Service Methods
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Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.