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
SEP 17 2014
Indiana Professional Licensing Agency

FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Indiana State Board of Nursing ("Board") held an administrative hearing on August 21, 2014, in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana 46204, concerning the Order to Show Cause ("OTSC") filed by the Board against the Indiana nursing license of Lauren Strauss, L.P.N. ("Respondent"), on July 1, 2014.

The State of Indiana ("Petitioner") was represented by the Office of the Indiana Attorney General, by Leif K. Johnson, Deputy Attorney General. Respondent appeared in person and waived the right to counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 7-0-1, issues the following Findings of Fact, Ultimate Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Respondent's address on file with the Indiana Professional Licensing Agency is 1149 Spicewood Drive, Clarksville, Indiana 47129. Respondent is a Licensed Practical Nurse in the State of Indiana having been issued license number 27057111A in March 2006.

2. In January 2013, the Board placed Respondent's license on Indefinite Probation after finding that she had been convicted of possession of heroin. While on probation,

Respondent was required to enter into and comply with the terms of a Recovery Monitoring Agreement ("RMA") with the Indiana State Nurses Assistance Program ("ISNAP").

3. On or about April 17, 2013, Respondent entered into an RMA with ISNAP.

4. On or about October 9, 2013, Respondent's urine drug screen ("UDS") was positive for tramadol. Respondent had not provided a prescription, and her RMA was extended by six months.

5. On or about April 16, 2014, Respondent's UDS was positive for alcohol.

6. On or about May 14, 2014, Respondent's UDS was positive for alcohol.

7. On or about May 19, 2014, Respondent's UDS was positive for alcohol.

ULTIMATE FINDINGS OF FACT

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

CONCLUSION OF LAW

Respondent's violation is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, revocation and/or a fine up to the amount of one thousand dollars ($1,000) per violation as detailed in Ind. 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 hereby placed on **INDEFINITE SUSPENSION.** Prior to petitioning for reinstatement, Respondent must have six (6) months of full and continuous compliance with an ISNAP RMA.

2. Respondent shall, within ninety (90) days of the Final Order, pursuant to Ind. Code § 4-6-14-10(b), pay a **FEE** of **FIVE DOLLARS** ($5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

Office of the Indiana Attorney General
Attn: Kathryn Shively
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

3. Respondent shall, within ninety (90) days of the Final Order, pay **COSTS** in the amount of **NINETY DOLLARS ($90.00)** payable to the Indiana Professional Licensing Agency. The costs, payable by check or money order, should be sent to:

Indiana Professional Licensing Agency
Attn: Nursing, Group 2
402 West Washington Street, Room W072
Indianapolis, Indiana 46204

4. Respondent further understands that a violation of this Final Order or any non-compliance with the statutes or regulations regarding the practice of nursing may result in Petitioner requesting a summary 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 Ind. 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 17th day of September, 2014.

INDIANA STATE BOARD OF NURSING

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

CERTIFICATE OF SERVICE

I certify that a copy of the "Findings of Fact, Ultimate Finding of Fact, Conclusions of Law and Order" has been duly served upon:

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

Leif Johnson
Attorney for the State
302 West Washington Street, 5th Floor
Indianapolis, IN 46204
Service by Email

9.17.14
Date

Lisa Chapman
Lisa Chapman

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.