BEFORE THE INDIANA STATE BOARD OF NURSING
CAUSE NO: 2013 NB 0017

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

FILED
NOV 17 2016
Indiana Professional Licensing Agency

FINAL ORDER

Holly Presley, L.P.N., designated by the Indiana State Board of Nursing ("Board"), pursuant to Ind. Code § 4-21.5-3-9 to act as an administrative law judge ("ALJ") held an administrative hearing on September 1, 2016, concerning Lauren Strauss' request to withdraw the probation from her license as a 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 Ind. Code § 4-21.5-3-29(c) the Board, at its meeting of November 17, 2016, votes 7 to 0 to affirm said Recommended Findings of Fact, Conclusions of Law and Order and adopt it as a final order in this proceeding.

The **PROBATION** on Strauss' license is **WITHDRAWN.**

SO ORDERED this 17th day of November, 2016.

INDIANA STATE BOARD OF NURSING

By: Maureen Bennett
for Natalie Hall, R.N.
Board President
Indiana State Board of Nursing

CERTIFICATE OF SERVICE

I certify that a copy of the "Final Order" has been duly served upon:

Lauren Nicole Strauss, L.P.N.
1009 Adams Creek Drive
Sellersburg, IN 47172
Service by U.S. Mail

Patricia Gibson, DAG
Attorney General's Office
302 West Washington Street
IGCS – 5th Floor
Indianapolis, IN 46204
Service by Email

11.17.2016
Date

Lisa Chapman
Lisa Chapman, Litigation Specialist

Indiana State Board of Nursing
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2043
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Explanation of Service Methods
Personal Service: by delivering a true copy of the aforesaid document(s) personally.
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Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

BEFORE THE INDIANA STATE BOARD OF NURSING
CAUSE NO: 2013 NB 0017

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

FILED
SEP 19 2016
Indiana Professional Licensing Agency

RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Holly Presley, L.P.N., designated by the Indiana State Board of Nursing ("Board") pursuant to Ind. Code § 4-21.5-3-9 to act as an administrative law judge ("ALJ") held an administrative hearing on September 1, 2016, in Conference Room 4 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, concerning Lauren Strauss' request to withdraw the probation from her license as a nurse.

Strauss appeared in person and waived her right to be represented by counsel. Patricia Gibson of the Attorney General's Office represented the State of Indiana.

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:

RECOMMENDED FINDINGS OF FACT

1. Strauss, whose mailing address is 1009 Adams Creek Drive, Sellersburg, Indiana 47172 is a practical nurse with license number 27057111A.

2. Strauss received timely and proper notice of the date, time, and location of this hearing pursuant to Ind. Code § 4-21.5-3-20.

Exhibit A

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

4. The Board suspended Strauss's license as a practical nurse in September 2014 because of her pattern of non-compliance with a recovery monitoring agreement with the Indiana State Nurses Assistance Program ("ISNAP").

5. In February 2016, the Board reinstated Strauss' license on probation.

6. In February 2016 Strauss requested that the probation be withdrawn from her license.

7. At the hearing on withdrawal of probation, Strauss presented evidence that she had complied with the terms of her probation which included completing her recovery monitoring agreement with the Indiana State Nurses Assistance Program and submitting quarterly employer or self-reports.

8. The deficiency that led to the probation on Strauss' license involved substance abuse. Strauss' compliance with her probation constitutes evidence that the deficiency that required probation has been remedied.

RECOMMENDED CONCLUSIONS OF LAW

1. "The board may withdraw or modify the probation ... if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed circumstances warrant a modification of the order." Ind. Code § 25-1-9-9(b).

2. Strauss' compliance with her probation constitutes evidence that the deficiency that required probation has been remedied.

RECOMMENDED ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the ALJ recommends the Board **WITHDRAWS** the **PROBATION** on Strauss' license.

SO ORDERED, this 19th day of September, 2016.

ADMINISTRATIVE LAW JUDGE
INDIANA STATE BOARD OF NURSING

By: Maureen Bennett
Natalie Hall, R.N.
Board President
Indiana State Board of Nursing

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 Indiana Professional Licensing Agency 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 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.

CERTIFICATE OF SERVICE

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

Lauren Nicole Strauss, L.P.N.
1009 Adams Creek Drive
Sellersburg, IN 47172
Service by U.S. Mail

Patricia Gibson, DAG
Attorney General's Office
302 West Washington Street
IGCS – 5th Floor
Indianapolis, IN 46204
Service by Email

9.14.2016
Date

Lisa Chapman, Litigation Specialist

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