BEFORE THE INDIANA STATE BOARD OF NURSING
CAUSE NUMBER: 2018 NB 0226

IN THE MATTER OF THE LICENSE OF:)
LESLIE L. WHEELER, R.N.,)
LICENSE NO: 28217824A)

FILED
MAY 01 2019
Indiana Professional Licensing Agency

SUMMARY SUSPENSION EXTENSION ORDER

The Indiana State Board of Nursing ("Board") at its regularly scheduled meeting on April 18, 2019 in the Auditorium of the Indiana Government Center, 302 West Washington Street, Indianapolis, Indiana 46204, pursuant to the authority of Ind. Code Ch. 4-21.5-4-1 and Ind. Code § 25-1-9-10, by a vote of 4-0-0, **EXTENDS THE SUMMARY SUSPENSION** the license held by Leslie L. Wheeler, R.N. ("Respondent") for an additional ninety (90) days, as the Board finds that an emergency exists and that Respondent represents a clear and immediate danger to the public health and safety if allowed to practice nursing in the State of Indiana.

The State of Indiana ("Petitioner") was represented by Paul J. Schilling, Deputy Attorney General. Respondent failed to appear.

This **NON-FINAL** emergency order is based on evidence and testimony supporting the following findings:

1. Respondent is a Registered Nurse ("RN") in the State of Indiana having been issued license number 28217824A by the Board on or about July 28, 2014.

2. Respondent's address on file with the Board is 6640 East 18th Street, Indianapolis, Indiana, 46219.

3. This Board has jurisdiction to suspend Respondent's license in accordance with the provisions of Ind. Code 4-21.5-4 *et seq.* and Ind. Code 25-1-9-10.

4. On June 24, 2013, Respondent was hired as an RN at St. Vincent Seton Specialty Hospital ("Seton"), a long term acute care hospital located in Indianapolis, Indiana.

5. On or about April 19, 2018, Respondent's colleagues at Seton reported Respondent was "acting quite strangely. Respondent's speech was slurred, Respondent was unable to focus, often lost her train of thought, would move associates' personal items then apologize for doing so. Respondent was observed leaning up against stuff and making weird sounds. Respondent was unsteady, often appeared ready to fall down and could not properly perform her job duties."

6. When clinical supervisors Ruby Metz and Amy Crabtree approached Respondent and asked her to submit to a urine drug screen, Respondent expressed she would voluntarily comply. However, Respondent left to gather her personal belongings before transportation to the urine drug screen location and fled the hospital without ever returning. Respondent's employment at Seton was terminated the following day.

7. On or about May 1, 2018, Seton conducted a pharmacy audit for Respondent's pulls from the Pyxis dispensing machine. The audit revealed that of 384 controlled substance pulls by Respondent from January 1, 2018, through April 20, 2018, only 78 were documented as given on time, while 166 were given late, 90 were wasted/returned to the Pyxis, and 36 were not documented at all.

8. In response to the consumer complaint Seton filed against Respondent, Respondent admitted to coming to work under the influence of alcohol on April 19, 2018.

9. On Respondent's 2014 initial nursing application, Respondent indicated she had been convicted of DUI in 1982 and 1994, and convicted of OWI in 2012 for driving while under the influence of marijuana.

10. On or about July 11, 2014, Respondent was diagnosed with THC dependence in sustained remission, with a history of alcohol and cocaine abuse by her ISNAP therapist.

11. The Board issued Respondent her license on probationary status in July 2014.

12. On November 18, 2016, the Board withdrew probationary status following Respondent's successful completion of her ISNAP RMA.

13. Respondent is suspected of diversion and admitted to nursing while impaired on April 18, 2018. Respondent was fired for cause when she left before taking a UDS. Respondent placed her patients in danger and has a long history of chemical and alcohol dependence.

Pursuant to Ind. Code § 25-1-9-10 and based upon the above stated facts, the Board finds that Respondent presents a clear and immediate danger to the public health and safety if allowed to continue to practice nursing in the State of Indiana.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease all acts constituting the practice of nursing for a period of 90 days from the date of this Order.

SO ORDERED, this 1st day of May, 2019; this **Order is effective as of April 18, 2019**. This matter will be set for hearing on July 18, 2019.

INDIANA STATE BOARD OF NURSING

By: Maureen Bennett
for Kim Cooper, R.N.
Board President
Indiana State Board of Nursing

CERTIFICATE OF SERVICE

I certify that a copy of the "Summary Suspension Extension Order" has been duly served upon:

Leslie Wheeler
6640 East 18th Street
Indianapolis, IN 46219
Service by U.S. Mail

Lorie Brown, Esq.
Brown Law Office, P.C.
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Service by U.S. Mail

Paul J. Schilling
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5.1.2014
Date

Lisa Chapman
Lisa Chapman, Litigation Coordinator

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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.