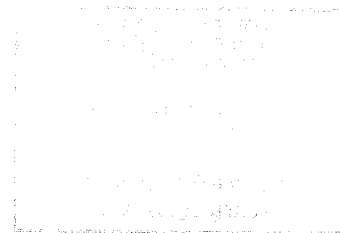


**BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2017 NB 0194**

IN THE MATTER OF THE LICENSE OF:)
RUTH C. HEMPFLING, R.N.,)
LICENSE NO: 28195982A)



SUMMARY SUSPENSION ORDER

The Indiana State Board of Nursing (“Board”), pursuant to the authority of Ind. Code § 4-21.5-4-1 and Ind. Code § 25-1-9-10, by a vote of 9 - 0 - 0, at its regularly scheduled meeting on November 16, 2017, in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana., **SUMMARILY SUSPENDS** the nursing license held by Ruth C. Hempfling, R.N. (“Respondent”), for 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 continue to practice as a nurse in the State of Indiana.

The State of Indiana was represented by Patricia Gibson Deputy Attorney General. Respondent failed to appear in person or by counsel.

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

1. Respondent is a Registered Nurse (“R.N.”) in the State of Indiana having been issued license number 28195982 on March 31, 2011.
2. Respondent’s address on file with the Indiana Professional Licensing Agency is 410 South Walnut Street, Apartment 2, Batesville, Indiana 47006.
3. This Board has jurisdiction to suspend Respondent’s license in accordance with the provisions of Ind. Code ch. 4-21.5-4 and Ind. Code § 25-1-9-10.
4. On or about March 7, 2016, Respondent was hired as a home health RN at Interim Health Care (“Interim”) located in Lawrenceburg, Indiana.

5. On January 14, 2017, Respondent received an employee counseling report for excessive absenteeism.

6. On January 25, 2017, Interim received a report from a client's father that on January 21, 2017, the father saw Respondent in the bathroom with a black bag and a syringe.

7. On or about January 25, 2017, Respondent was called into Interim for a urine drug screen ("UDS"). Respondent did not appear for the UDS and was terminated effective January 25, 2017.

8. On February 13, 2017, Respondent was charged with Possession of Cocaine or a Narcotic Drug, Level 6 Felony; Possession or Control of a Hypodermic Needle When Used to Violate the Legend Drug Act, Level 6 Felony; and Maintaining a Common Nuisance, Level 6 Felony; in Ripley County, Indiana in Cause Number 69D01-1702-F6-020.

9. The charges in Cause Number 69D01-1702-F6-020 alleged that on February 11, 2017: pursuant to a search warrant, officers entered the home of Respondent and her Respondent's daughter; that two used hypodermic needles were found in Respondent's bedroom; that Respondent's daughter stated she and Respondent had used the needles to inject heroin and the daughter had hidden them in Respondent's bedroom when the police arrived; that under Respondent's mattress was a paper bundle containing white powder which field tested positive for heroin; that underneath the dresser in Respondent's bedroom a tramadol tablet was found; that two used needles were found underneath the living room couch; and that more unused needles were found in Respondent's daughter's bedroom.

10. On February 12, 2017, Respondent was incarcerated at the Ripley County Jail.

11. On February 12, 2017, Respondent was treated by Ripley County Jail for opiate withdrawal. Respondent reported her last use was February 11, 2017, and Respondent reported using heroin and fentanyl daily for the past four to five months.

12. On February 13, 2017, Respondent was treated at Margaret Mary Community Hospital Emergency Department for opioid withdrawal, then cleared to return to Ripley County Jail.

13. On April 12, 2017, Respondent was convicted of Possession or Control of a Hypodermic Needle When Used to Violate the Legend Drug Act, a Level 6 Felony. Respondent was sentenced to nine hundred ten (910) days incarceration, with credit for one hundred eighteen (118) days (fifty-nine (59) days served), and seven hundred ninety-two (792) days suspended to probation.

14. On April 12, 2017, Respondent was released from the Ripley County Jail.

15. While incarcerated for fifty-nine (59) days, Respondent was administered medications for her blood pressure and asthma. Respondent was not administered tramadol or Lyrica.

16. On April 12, 2017, the day of her conviction and release from Ripley County Jail, Respondent filled a prescription for eighty (80) Tramadol tablets. On May 17, 2017, Respondent received a prescription for sixty (60) Lyrica tablets, and two hundred forty (240) tramadol tablets.

17. From June 2016 to January 2017, and from April 2017 to May, 2017, Respondent received prescriptions for tramadol and Lyrica. Respondent's prescriptions were of sufficient quantities to average eight (8) tramadol 50mg tablets per day, in addition to two (2) Lyrica 225mg capsules per day, for a total of ten (10) pills per day.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease and desist all acts constituting the practice of Nursing for ninety (90) days.

IT IS FURTHER ORDERED that Respondent shall immediately surrender all indicia of licensure, including her pocket license and wall license, to the Board in care of

Indiana Professional Licensing Agency, 402 West Washington Street, Room W072,
Indianapolis, Indiana 46204.

SO ORDERED, this 5th day of December 2017; this **Order is effective as of the**
16th day of November, 2017.

INDIANA STATE BOARD OF NURSING

By: _____

Kim Cooper
Kim Cooper, R.N.

Board President

Indiana State Board of Nursing

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CERTIFICATE OF SERVICE

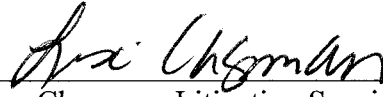
I certify that a copy of the "Summary Suspension Order" has been duly served upon:

Ruth Hempfling
410 South Walnut Street, Apt. 2
Batesville, Indiana 47006
Service by U.S. Mail

Patricia Gibson, Deputy Attorney General
Indiana Government Center South, Fifth Floor
302 West Washington Street
Indianapolis, Indiana 46204-2770
Service by Email

12.5.2012

Date



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
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.