

**INDIANA STATE BOARD OF NURSING**

**Minutes for  
Thursday, March 18, 2021**

**\*HELD THROUGH WEBEX\*  
TO JOIN, CALL: (240) 454-0887  
MEETING CODE: 610 915 440 or  
<https://indianaenhanced.webex.com/join/plawebex>**

**I. Call to Order and Establishment of Quorum**

**8:30 a.m.**

**Board Members Present:**

Kim Cooper, MSN RN, Board President  
Jennifer Miller, MSN RN, Vice President  
Angela Morris, RN, Secretary  
Mary Rock, MSN, RN, JD  
Jason King, DNP, RN, CENP  
Dianne Murphy, RN  
Susie Newkirk, LPN  
Judy Hamblen, LPN

**Advisory Staff:**

Claire Dyer

**PLA Staff:**

Alyssa Servies  
Toni Herron  
Lisa Chapman  
Rebecca Tinsley  
Ashlee Gentry  
Ronika Turner

**II. Adoption of the Agenda**

A motion was made and seconded to adopt the agenda. Miller/Rock 8-0-0

**III. Adoption of the Minutes from February 18, 2021 Board Meeting**

A motion was made and seconded to adopt the minutes from the February 18, 2021 Board Meeting.  
Rock/Hamblen 8-0-0

**IV. Adoption of the Personal Appearance Recommendations from March 4, 2021**

A motion was made and seconded to adopt the Personal Appearance Recommendations from March 4, 2021. Miller/Rock 8-0-0

**V. Adoption of Recommended Orders**

A motion was made and seconded to approve the Recommended Orders. Rock/Hamblen 8-0-0

1. Jessica E. Harrison
2. Megan K. Scott
3. Ricardo Sanchez
4. Elizabeth A. Stedwell

**VI. Indiana State Nurses Assistance Program: Tracy Trout presented the monthly report.**

## VII. Education

### 1. Anderson University Petition to add RN-BSN Track to Program – Lynn Schmidt PhD, RN, CNE

Dr. Lynn Schmidt appeared on behalf of the program. Anderson University (AU) is requesting to open an RN-BSN track. AU had previously offered this track, but the track was closed in 2015 when the university decided to focus on undergraduate education. Dr. Schmidt said that research had been done and there was a need and desire for this kind of program in the community. The track this time will have online didactic and have less focus on liberal arts courses. The student will be responsible for arranging a clinical experience with a preceptor, which AU will help arrange. Board member President Kim Cooper asked about admission criteria for this track. Dr. Schmidt stated that admissions will be done utilizing a holistic admissions process that is not based solely on GPA but also results of an admission essay and in person interview. MS. Cooper also inquired about time of completion for the program and Dr. Schmidt stated that it would require three (3) semesters for the nursing courses and another two (2) semesters to fulfill the liberal arts requirement. Board member Dr. Mary Rock made a motion to approve the addition of the track and Board member Angela Morris seconded. Motion passes 7-0-0.

### 2. Fortis College

#### i. **FYI ONLY: Fortis College names Christopher Bell DNP, RN, EMT-P as Dean of Nursing effective March 1, 2021, replacing Laura Gault MSN, RN Interim Dean. (CV attached)**

Dr. Bell was present and introduced himself to the Board and Ms. Cooper welcomed him. Ms. Cooper remarked on his extensive resume and his recent experience with this Board during his previous tenure at Chamberlain University as Campus president.

#### ii. **Fortis College Voluntary Withdrawal from ACEN (documents attached)**

Dr. Christopher Bell and Dr. Shelia Burke appeared on behalf of the program. Dr. Bell shared with the Board that the reporting structure at Fortis had been revised to the degree that he reported directly to Dr. Burke now and not Dr. Cox. Dr. Burke stated the reporting structure remains the same. Ms. Cooper requested a copy of the organizational charts for the Indianapolis campus as well as Fortis College overall be sent to Education Compliance Officer Toni Herron within 10 working days.

Ms. Cooper moved the discussion of Fortis College ASN 2020 NCLEX pass rates to the April 2021 meeting of ISBN to allow Dr. Bell more time to become familiar with the issues and prepare a response.

Dr. Bell stated that the decision to voluntarily withdraw from the Accreditation Commission for Education in Nursing (ACEN) was made after communication from ACEN in March 2021 that failure by Fortis to meet certain benchmarks, such as 80% NCLEX pass rates, could result in loss of their accreditation with ACEN. It was decided that the best course of action was to voluntarily withdraw, do root cause analysis about factors affecting the failure to meet the 80% standard, and once those were resolved, to re-apply for ACEN accreditation at that time. Dr. Bell communicated this information regarding the voluntary withdrawal to students and faculty through face-to-face town hall meetings, in class meetings and a written notice. Ms. Cooper asked about the time frame for the next graduating cohort and the number in that cohort. Dr. Bell stated April graduation with thirteen (13) in the cohort. Ms. Cooper asked about the most recent cohort admitted and Dr. Bell stated it was in January.

Board member Angela Morris noted that this action could be viewed as unfair to students who were already in the program. Board member Jennifer Miller stated her organization would not hire these graduates as the requirement for completion of a nationally accredited

program of study was necessary to maintain their Magnet hospital designation. Ms. Morris stated that most of the acute care hospitals in the area shared that same criteria. Ms. Heron asked Dr. Bell if any research had been done to see what facilities might be available for employment for the graduates and she stated that Indianapolis Fortis College Career Services was investigating that.

Ms. Cooper requested that, in addition to corporate and Indianapolis organizational charts, copies of all information provided to students, faculty and staff regarding the voluntary withdrawal from ACEN accreditation be sent to Ms. Herron within 10 business days. In addition, the content to the Capstone course regarding implications of this withdrawal also is to be submitted. Ms. Cooper made a motion to acknowledge the notice of withdrawal with follow-up as listed above. Board member Dr. Mary Rock seconded. Motion passes 8-0-0.

### **3. FYI ONLY: March Monthly Report from Ancilla College**

Ms. Herron said that she had checked the NCLEX pass rates YTD, and unlike the 67% that was reported in the monthly report, the actual NCSBN pass rate was 41.1% (7/17). Ms. Cooper stated that Ancilla was using U World as a review and that presented great concerns. U World is simply a bank of test questions and the information is not arranged to reflect client needs categories, which is important for student success on NCLEX. For the student, there is no live proctor, only test bank questions. The value of the review course is lost if there is not a live tutor involved. Ms. Cooper asked if the review was being paid for by the school or the student and Ms. Herron stated that she didn't know the answer to that question. Ms. Cooper requested that Ancilla College representatives be asked to appear at the April 15 meeting to discuss these issues.

### **4. Ivy Tech Community College Anderson**

- i. FYI ONLY: Ivy Tech Community College names Jennifer Gale MSN, RN Interim Nursing Dean effective March 12, 2021 upon resignation of current Dean Della Stillerman MSN, RN (CV attached)**

Ms. Jennifer Gale was present and welcomed by the Board to her new role.

- ii. FYI ONLY: March Monthly Report from Ivy Tech Community College Anderson**

The March Monthly Report from Ivy Tech Community College Anderson was reviewed by the Board. Ms. Cooper recused.

### **5. FYI ONLY: Ivy Tech Community College Muncie PN and ASN Programs return to permanent campus location at 345 South High Street, Muncie, IN 47362 (Effective 3/2/2021).**

Dr. Jewel Diller stated that the program had returned to their home campus now that damage to the building and electrical systems had been repaired. Ms. Cooper recused.

## **VIII. Discussion Items**

1. AG Report
2. Board Director's Report
3. New procedures for probation withdrawals and reinstatements that occur after a decision on an initial or renewal application
4. 2019 NB 0301
  - i. Respondent's Motion for Summary Judgement and Petitioner's Response**

A motion was made and seconded to deny Respondent's Motion for Summary Judgment. King/Miller 8-0-0

- ii. **Respondent’s Praecept for the Appointment of a Special Judge and Petitioner’s Response**  
A motion was made and seconded to deny Respondent’s Praecept for the Appointment of a Special Judge. Miller/Rock 8-0-0
  - iii. **Respondent’s Motion to Set for a Rule 41(E) Hearing to Dismiss and Petitioner’s Response**  
A motion was made and seconded to deny Respondent’s Motion to Set for a Rule 41(E) Hearing to Dismiss. Rock/Hamblen 8-0-0
5. **Rule Revisions** – tabled until April 15, 2021

**IX. Proposed Settlement Agreements**

- 1. **Allison Henry:** A motion was made and seconded to accept. Hamblen/Murphy 8-0-0
- 2. **John Howard Everhart:** A motion was made and seconded to deny. Miller/King 8-0-0
- 3. **Bridgette Valentine:** A motion was made and seconded to accept. King/Rock 8-0-0
- 4. **Peggy Warner:** A motion was made and seconded to accept. Cooper/Rock 8-0-0
- 5. **Ravenna Cash:** A motion was made and seconded to accept. Miller/Murphy 8-0-0
- 6. **Karen Phillips:** A motion was made and seconded to accept. King/Cooper 7-0-0. Hamblen Recused
- 7. **Kathy Carter:** A motion was made and seconded to accept. Murphy/Hamblen 8-0-0
- 8. **Stacey Wiesemann:** A motion was made and seconded to deny. Murphy/Newkirk 8-0-0
- 9. **Sherice Ricks:** A motion was made and seconded to accept. King/Rock 7-1-0
- 10. **Patricia Wallis:** A motion was made and seconded to accept and strike incorrect information. Miller/Hamblen 8-0-0
- 11. **Chanel Holmes:** A motion was made and seconded to deny. Murphy/Hamblen 8-0-0
- 12. **Jamie Wyatt**  
A motion was made and seconded to accept the proposed settlement agreement. Miller/Morris 8-0-0  
  
A motion was made and seconded to accept the motion to vacate summary suspension. Miller/Rock 8-0-0

**X. Personal Appearances**

- 1. **Stacey Bell:** Bell graduated from Medtech in 2013. She has failed the NCLEX twice. She is requesting to test for a third time. She completed Kaplan and has used ATI since graduating 2013. She is currently using a private tutor to help her study. Before voting on a motion, the Board enumerated the following concerns: a lack of knowledge about the 8 client-needs categories for all NCSBN examinations, a lack of insight about the different formats of testing questions, a lack of insight about the differences in review products, the absence of a score card from NCSBN about process to date, and the failure of NCLEX in the fall of 2020 after 75 questions – which shows significant deficits in all client needs

categories, and finally that she has not been in school for 8 years and there is an absence of supportive probability testing. The Board made a motion to approve her to test. Cooper/King 7-1-0

2. **Melissa Payne (Compact):** Payne made a positive response on her compact application. She was terminated in December 2020 from IU Health Morgan after a physician had ordered a PET scan for a patient and Payne put in the cancer diagnosis code for the prior authorization without checking with the physician. The PET scan was not related to the patient's cancer diagnosis. Before voting on the motion, the Board enumerated the following aggravating factors: the lack of transparency of reporting, the lack of clear responsibility of understanding of her role, her actions and potential cost to the patient, her recognition of scope of practice, and her pattern of behavior which shows problems with ethics and scope of practice. The Board made a motion to deny compact license. Cooper/Rock 7-0-0. King recused.
3. **Christy Rund:** Represented by Cynthia Marcus. In April 2019, she drank a few alcoholic beverages and drove a child's 4-wheeler through the cul-de-sac where she wrecked the 4-wheeler and knocked herself out. Her neighbors called 911 and she was charged with an OWI. Rund pled guilty to the OWI charge. She has satisfied all the terms of her criminal probation, but she still has 6 months of unsupervised criminal probation. She underwent a substance use evaluation with a psychologist did not diagnose with problem. Her prospective employer requires an unencumbered license. Before voting on the motion, the Board enumerated the following mitigating factors: her complete transparency, her completion of criminal probation terms (not length of time), her positive work record, the Board believes it was an event that she has learned from and she is not a danger to the public. The Board made a motion to grant application free and clear. Cooper/Miller 8-0-0
4. **Barbara Buono:** Buono let her license expire in 2005 to deal with family issues. She started teaching special needs kids once she was ready to go back to work. In May of 2020 she was told by someone at PLA to take the refresher course, instead of being told to go back to school. Before voting on the motion, the Board enumerated the following mitigating factors: PLA misinformation from two different employees, her indications that she is a competent practitioner who can sit for the NCLEX, she offered to sit for the NCLEX, already completed refresher and didactic classes. The Board made a motion to allow her to test once within 90 days, including application, payment, and scheduling. There will be no repeat testing allowed and she must report to the Board if she fails. Cooper/Miller 8-0-0
5. **Brittney Morrow:** Morrow has multiple criminal convictions, including possession of methamphetamine, maintain a common nuisance, and neglect of a dependent. The neglect of a dependent charge occurred after a raid on her mother's house. Her mother was charged with drug dealing. The possession of methamphetamine was dismissed after pretrial diversion. She participated in community corrections for the neglect of a dependent charge. in December 2018 for neglect of a dependent after officers found drugs in her mother's house, where she was staying. She has also been charged with failing to appear at a hearing. Morrow has not worked as a nurse since 2017. Before voting on the motion, the Board enumerated the following aggravating factors: repeated charges, absence of judgment, the severity of the use of and addiction to methamphetamines. Before voting on the motion, the Board enumerated the following mitigating factors: Morrow brought herself before the Board, she sought rehabilitation, she is actively engaged in an IOP and has transitioned from a halfway house to her own housing. The Board made a motion to renew her license on indefinite probation. She may not work until she can demonstrate 6 months of total compliance with IPRP. She is ordered to enter into an RMA and her probation will either be for one year of active practice or for the length of her RMA. She is not to be eligible for an early discharge from IPRP. She is to complete CEUs (8 in nursing and addiction and 8 in professionalism). She is to complete a refresher course with a clinical component. Cooper/King 8-0-0. Morrow agreed to the terms.

6. **Terry Riley:** Riley submitted her renewal application and answered yes to the question about criminal charges. She got into a fight with her granddaughter and her charges are still pending. Although her granddaughter has said she was going to drop the charges, there is a pretrial conference set for June 25, 2021 and a jury trial is set for July 26, 2021. The pending charges are for domestic battery in the presence of a child and interfering with reporting of a crime. Riley has never been arrested before. She is currently working at Healing Hands, and she has been there for 2 years. She has not had any workplace discipline. She was previously at Individual Support Services for 5 years with no workplace discipline. The Board made a motion to renew Riley's license on probation. Riley can only petition to withdraw her probation when there is a resolution to her criminal charges. She is to submit signed board orders and keep the Board apprised of legal updates, whereabouts and contact information. She is also to complete quarterly reports from her employer or self-reports if she becomes unemployed. Cooper/Rock 8-0-0. Riley agreed to the terms.

## **XI. Appeals**

### **1. Jolene Michael**

Respondent: Present without counsel. Comfortable proceeding without counsel.

Witness(es): None

Exhibit(s): Petitioner's Exhibit A – Letters of Recommendation

A motion was made and seconded to deny the appeal. Rock/Murphy 7-0-0

Morris recused.

### **2. Craig Kello**

Respondent: Present with counsel Joshua Timmons.

Witness(es): Alyssa Servies, Board Director

Exhibit(s): Respondent's A through E

A motion was made and seconded to grant the appeal and reinstate his license free and clear. King/Rock 7-0-0

### **3. Chad Wunningham**

Respondent: Present without counsel. Comfortable proceeding without counsel.

Witness(es): None

Exhibit(s): None

A motion was made and seconded to grant the appeal and reinstate his license free and clear and refer the matter to the AG's office. Rock/Murphy 8-0-0.

### **4. Judith Payne**

**Respondent: Present without counsel. Comfortable proceeding without counsel.**

**Witness(es): None**

**Exhibit(s): Petitioner's Exhibit 1 – Letters of Recommendation**

A motion was made and seconded to grant the appeal and reinstate her license on probation. Payne is required to complete an IPRP evaluation. She must enter into a Board ordered RMA that is at minimum, 1 year. While on probation, Payne must submit sign board order from her and her employer, quarterly reports that show 1-year of active practice. She is to keep the Board informed of email, address, phone number, or any criminal updates. She must complete 12 CEUs in impaired nursing and 6 in professionalism. The aggravating factors were the lack of transparency on the felony, the two OWIs in a short period of time, with the last one in 2019 resulting in property damage. Cooper/Rock 8-0-0.

1. **In the Matter of the License of Melissa J. Clark, 28188376A  
Administrative Cause No. 2018 NB 0104**  
**DAG: Erika Steuerwald**  
**Respondent: Present without counsel. Comfortable proceeding without counsel.**  
**Witness(es): Evan Wire, Office of the Indiana Attorney General**  
**Exhibit(s): State's A through C**  
A motion was made and seconded to put her on indefinite probation for at least 24 months with active, restricted practice. She will be required to complete an evaluation with IPRP, and an MMPI2 or equivalent examination with IPRP. She must also sign an RMA with IPRP. She must submit the results of the MMPI2 or equivalent to the Board. She must also complete a fitness for duty evaluation and submit those results to the Board. Clark will not be allowed to practice until both the results of the fitness for duty and MMPI2 or equivalent have been submitted to the Board for approval. Clark will be required to complete CEUs (12 in ethics, 12 in communication, and 12 in drug diversion). She must pay \$2500 in fines for all three violations where the Board found the State met its burden. Murphy/Cooper 7-0-1. Rock Recused.
2. **In the Matter of the License of Lanell Renee Hall, 28180979A- CONTINUED  
Administrative Cause No. 2018 NB 0154**
3. **In the Matter of the License of Holly Lynn Franklin, 28186039A  
Administrative Cause No. 2018 NB 0180**  
**RE: Petition to Surrender License and Proposed Settlement Agreement**  
DAG: Whitney Cooper  
Respondent: Present by counsel Cynthia Marcus.  
Witness(es): None  
Exhibit(s): None  
A motion was made and seconded to deny the petition to surrender.  
Cooper/Hamblen. 7-0-0. Rock recused.  
A motion was made and seconded to accept the settlement agreement.  
King/Hamblen 7-0-0. Rock recused.
4. **In the Matter of the License of Brian Paul King, 27069077A  
Administrative Cause No. 2018 NB 0315**  
DAG: Erika Steuerwald  
Respondent: Not present  
Witness(es): Evan Wire, Office of the Indiana Attorney General  
Exhibit(s): None  
State requested a notice of proposed default since King failed to appear. Morris/Miller 7-0-0
5. **In the Matter of the License of Ravenna L. Cash, 28221915A - CONTINUED  
Administrative Cause No. 2019 NB 0106**
6. **In the Matter of the License of Kathy Renee Carter, 27057278A - CONTINUED  
Administrative Cause No. 2019 NB 0277**
7. **In the Matter of the License of Chanel Lee Holmes, 27074314A - CONTINUED  
Administrative Cause No. 2019 NB 0280**
8. **In the Matter of the License of Allison A. Henry, 28222472A - CONTINUED  
Administrative Cause No. 2019 NB 0283**

9. **In the Matter of the License of Lesia Nell Johnson, 27052548A - CONTINUED  
Administrative Cause No. 2020 NB 0015**
10. **In the Matter of the License of Crystal Gayle Kincaid, 28172633A  
Administrative Cause No. 2020 NB 0016**  
 DAG: Natalie Stidd  
 Respondent: Not present  
 Witness(es): None  
 Exhibit(s): None  
 State requested NOPD since Kincaid failed to appear. Cooper/Morris 7-0-0
11. **In the Matter of the License of Stephanie Jo Humerickhouse, 28183298A - CONTINUED  
Administrative Cause No. 2020 NB 0067**
12. **In the Matter of the License of Kandi Michelle Kemerly, 27061020A  
Administrative Cause No. 2020 NB 0083**  
 DAG: Whitney Cooper  
 Respondent: Present without counsel. Comfortable proceeding without counsel.  
 Witness(es): None  
 Exhibit(s): State's 1 through 3  
 A motion was made and seconded to place the license on indefinite probation for 18 months with full time active practice. While on probation, Kemerly must submit proof of completion of CEUs (12 in documentation, 12 in professionalism, 12 in assessment, and 12 in boundaries), signed board order, and quarterly reports. She may not work in a supervisory role for at least 1 year and must have onsite supervision. Kemerly may not orient new employees or precept student nurses for at least one year. She cannot work in a correctional facility due to issues with boundaries. She must pay \$1500 in fines and a \$5 health records fee. The aggravating factors were transparency issues and the sheer agony, the harm that the patient went through, and volume of problems. Newkirk/Cooper 8-0-0

### **XIII. Petitions for Summary Suspension**

1. **In the Matter of the License of Leslee Napier, 28224138A  
Administrative Cause No. 2021 NB 0035**  
 DAG: Whitney Cooper  
 Respondent: Not present  
 Witness(es): None  
 Exhibit(s): State's 1 through 4  
 A motion was made and seconded to summarily suspend the nursing license for 90 days and reset the hearing to June. Rock/Hamblen 8-0-0
2. **In the Matter of the License of Jamie McCracken, 27034094A  
Administrative Cause No. 2021 NB 0036**  
 DAG: Whitney Cooper  
 Respondent: Present without counsel. Comfortable proceeding without counsel.  
 Witness(es): Barbara Green, Office of the Indiana Attorney General and Brittany Sholtis, IPRP  
 Exhibit(s): State's 1 through 9  
 A motion was made and seconded to summarily suspend the nursing license for 90 days and reset the hearing to June. Cooper/Rock 8-0-0



**3. In the Matter of the License of Amy Holbert, 28168211A**

**Administrative Cause No. 2021 NB 0040**

DAG: Ryan Eldridge

Respondent: Not present

Witness(es): None

Exhibit(s): None

A motion was made and seconded to accept the agreement to summarily suspend the nursing license for 63 days and reset the hearing to May. Rock/Cooper 8-0-0

**4. In the Matter of the License of Geoffrey Hager, 27067731A**

**Administrative Cause No. 2021 NB 0041**

DAG: Ryan Eldridge

Respondent: Not present

Witness(es): None

Exhibit(s): None

A motion was made and seconded to accept the agreement to summarily suspend the nursing license for 90 days and reset the hearing to June. Cooper/Hamblen 8-0-0

**XIV. Summary Suspension Extensions**

**1. In the Matter of the License of Caitlyn Tracey, 28197989A**

**Administrative Cause No. 2020 NB 0069**

DAG: Natalie Stidd

Respondent: Not present

Witness(es): None

Exhibit(s): None

A motion was made and seconded to accept the agreement to summarily suspend the nursing license for 63 days and reset the hearing to May. Rock/Cooper 8-0-0

**XV. Adjournment**

**Upcoming Board Meetings**

**April 1, 2021**

**April 15, 2021**