

**MINUTES FROM THE MEETING OF THE
INDIANA STATE BOARD OF NURSING
ADMINISTRATIVE LAW JUDGE**

**Thursday, September 8, 2022
at 8:30 a.m.**

*** HELD THROUGH WEBEX*
TO JOIN, CALL: (240) 454-0887
or LOG ON: indiana.webex.com
MEETING CODE: 172 253 3540**

Administrative Law Judge: Jason King, DNP, RN

PLA Staff:

Nicholas Hart
Alyssa Servies
Ashlee Gentry
Toni Herron
Kayla Perkins
Rebecca Tinsley
Catherine Briney

Advisory Counsel:

Claire Dyer
Donald Hannah

Court Reporter:

Britney Rodewig

I. Personal Appearances

1. Viola Long: Long failed to appear for a second time. The ALJ recommended denying the application.
2. Nikole Jones: Jones appeared on a renewal application. Her license has been expired for five (5) years. The ALJ recommended renewing the license after receipt of proof that Jones completes a refresher course with a clinical component.
3. Ruthanne Tom: Tom failed to appear for a second time. The ALJ recommended denying the application.
4. Gabe Tzeggai: Tzeggai failed to appear for a second time. The ALJ recommended denying the application.
5. Candace Harrod: Harrod failed to appear for the second time. The ALJ recommended denying the application.
6. Shannan Hay: Hay failed to appear. The ALJ recommended denying the application.
7. Kathy Bertsch: Bertsch failed to appear. The ALJ recommended denying the application.
8. Kimberly Hyche: Hyche appeared on a renewal application. Her license has been expired since 2011. The ALJ recommended that she complete review course for NCLEX, take NCLEX, and then refresher course with a clinical component.

9. Cindy Hartman: Hartman appeared on a renewal application. The ALJ recommended renewing the license after receipt of proof that Hartman completes a refresher course with a clinical component.
10. Abigail Thome: Thome failed to appear. The ALJ recommended rescheduling the matter.
11. Beverly Buschman: Buschman appeared on a renewal application. The ALJ recommended renewing the license after receipt of proof that Buschman completes a refresher course with a clinical component.
12. Mary Stout: Stout failed to appear. The ALJ recommended rescheduling the matter.
13. Misty Kay Burton: Burton appeared on a renewal application. Her license has been expired for roughly seven (7) years in Kentucky, and her Indiana license has been expired for eleven (11) years. The ALJ recommended renewing the license after proof that Burton completes a refresher course with a clinical component.
14. Nancy West: West failed to appear. The ALJ recommended rescheduling the matter.
15. Jayna Miere: Miere failed to appear. The ALJ recommended rescheduling the matter.
16. Ginger Bansen: Bansen appeared on a renewal application. Her license has been expired since 2009. The ALJ recommended renewing the license after Bansen completes an NCLEX review course and receives a comprehensive predictor score of 95% and submit proof to the Board of such. Then Bansen must take and pass NCLEX. If Bansen passes NCLEX, she must then take a refresher course with a clinical component and submit proof of such to the Board prior to working as a nurse.
17. Grahm Reinhard: Reinhard failed to appear. The ALJ recommended rescheduling the matter.
18. Deborah Ann Kaufman: Kaufman failed to appear. The ALJ recommended rescheduling the matter.
19. Christina Jennings: Jennings appeared on an initial application. Jennings holds a Missouri license that has been on probation since June 2022 and will last for five (5) years from that date. Jennings is in an RMA in Missouri and reported a sobriety date of April 21, 2021. Jennings indicated that she is in compliance with her Missouri probation, but still has a criminal case pending there. She indicated that she applied for an Indiana single state license because she is ineligible for compact licensure due to her Missouri probation. The ALJ recommended issuing Jennings a license on indefinite probation for a minimum of five (5) years with the requirement that she comply with all terms of her Missouri probation. Jennings is also required to complete an IPRP/ISNAP evaluation and comply with their recommendations, including entering an RMA if one is recommended. On probation, Jennings must cause her employer to submit quarterly reports (self-reports if unemployed) and signed Board orders. She must remain in compliance with any criminal probation, and inform the Board of any changes, including outcome, of her criminal case. In her first year of probation, Jennings must be supervised if working as a nurse, must not work with narcotics, work in home health, hospice, or hold any supervisory roles.

II. Probation Withdrawal

1. In the Matter of the License of Beth Vische, 27032707A
 Administrative Cause No. 2000 NB 0035
 DAG: Ryan Eldridge, CLI Robert Fox
 Respondent: Beth Vische, present without counsel
 Exhibit(s): none
 Witness(es): Alyssa Servies, Beth Vische
 The ALJ recommended withdrawal of probation.
2. In the Matter of the License of Rodney Fehr, 28124539A
 Administrative Cause No. 2015 NB 0310
 DAG: AJ Holbrook
 Respondent: Present and comfortable proceeding without counsel. Rodney Fehr, present without counsel
 Exhibit(s): none
 Witness(es): Alyssa Servies, Abigail Rosa

The ALJ recommended withdrawal of probation.

3. In the Matter of the License of Elizabeth McIntosh, 28066087A
Administrative Cause No. 2007 NB 0047
DAG: Ryan Eldridge, CLI Robert Fox
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): none
Witness(es): Alyssa Servies
The ALJ recommended withdrawal of probation.
4. In the Matter of the License of Zlanser Tarlue, 27064919A
Administrative Cause No. 2017 NB 0109
DAG: AJ Holbrook
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): none
Witness(es): Alyssa Servies
The ALJ recommended withdrawal of probation.
5. In the Matter of the License of Angela White, 28154716A
Administrative Cause No. 2013 NB 0529
DAG: Ryan Eldridge
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): none
Witness(es): Alyssa Servies
The ALJ recommended withdrawal of probation.
6. In the Matter of the License of Brittany Bohlander, 28217059A
Administrative Cause No. 2018 NB 0113
DAG: Regan Perrodin
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): none
Witness(es): Alyssa Servies, Cara Kelly
The ALJ recommended withdrawal of probation.
7. In the Matter of the License of Kelsi West, 28210091A
Administrative Cause No. 2018 NB 0205
DAG: Regan Perrodin
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): Respondent's Exhibit 1 (quarterly report), Respondent's Exhibit 2 (Letter of support from Destination Regen), Respondent's Exhibit 3 (IPRP successful discharge), Respondent's Exhibit 4 (quarterly report), Respondent's Exhibit 5 (Letter of support from Jim Ryser), Respondent's Exhibit 6 (quarterly report), Respondent's Exhibit 7 (Successful completion of Ivy Tech refresher course – lab component), Respondent's Exhibit 8 (quarterly report), Respondent's Exhibit 9 (Successful completion of Ivy Tech refresher course – theory component)
Witness(es): Alyssa Servies, Tye Dominguez
The ALJ recommended withdrawal of probation.
8. In the Matter of the License of Kathy Carter, 27057278A
Administrative Cause No. 2019 NB 0277

DAG: Ryan Eldridge, CLI Robert Fox
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): none
Witness(es): Alyssa Servies
The ALJ recommended withdrawal of probation.

9. In the Matter of the License of Sara Geyer, 28212316A
Administrative Cause No. 2020 NB 0089
DAG: No DAG
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): none
Witness(es): Alyssa Servies
The ALJ recommended withdrawal of probation.
10. In the Matter of the License of Allison Burnworth, 27066149A
Administrative Cause No. 2020 NB 0173
DAG: No DAG
Respondent: Allison Burnworth, present without counsel
Exhibit(s): none
Witness(es): Alyssa Servies, Allison Burnworth
The ALJ recommended modifying the probation by adding a requirement for one year of active practice.
The original terms will remain in effect. modification of probation, keep terms and conditions as they exist but add additional requirement of one year of active practice.
11. In the Matter of the License of Jacqueline Powers, 28231331A
Administrative Cause No. 2019 NB 0289
DAG: AJ Holbrook
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): none
Witness(es): Alyssa Servies, Cara Kelly
The ALJ recommended withdrawal of probation.
12. In the Matter of the License of Patricia Garrett, 28222017A
Administrative Cause No. 2021 NB 0001
DAG: Ryan Eldridge, CLI Carolyn Rowe
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): none
Witness(es): Alyssa Servies, Abigail Rosa
The ALJ recommended withdrawal of probation.
13. In the Matter of the License of Jeni Burger, 27042464A
Administrative Cause No. 2020 NB 0207
DAG: No DAG
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): none
Witness(es): Alyssa Servies
The ALJ recommended withdrawal of probation.
14. In the Matter of the License of Erika Johns, 28246394A

Administrative Cause No. 2019 NB 0367
DAG: No DAG
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): none
Witness(es): Alyssa Servies
The ALJ recommended withdrawal of probation.

15. In the Matter of the License of April Smith, 27066784A
Administrative Cause No. 2013 NB 0112
DAG: No DAG
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): none
Witness(es): Alyssa Servies
The ALJ recommended withdrawal of probation.

III. Reinstatement

1. In the Matter of the License of Kathleen Machowicz, 28094706A & 71004046A
Administrative Cause No. 2015 NB 082
DAG: Ryan Eldridge, CLI Carolyn Rowe
Respondent: Kathleen Machowicz, present with counsel Todd Ess
Exhibit(s): Respondent's Exhibit 1 (probation discharge from Allen County), Respondent's Exhibit 3 (Noble County sex offender registry page for Dennis Cade), Respondent's Exhibit 2 (Noble County probation documents for Respondent), Respondent's Exhibit 5 (Letter of support from Respondent's sponsor), Respondent's Exhibit 7 (Letter of support from Respondent's employer Dr. Julian Ungar), Respondent's Exhibit 4 (OIG report documenting removal of Respondent from Exclusion List), Respondent's Exhibit 6 (Psychological evaluation from Neuropsychiatric Associates), Respondent's Exhibit 8 (Fitness for Duty Evaluation), Respondent's Exhibit 9 (ISNAP Board compliance report)
Witness(es): Alyssa Servies, Kathleen Machowicz, Brittany Sholtis

The ALJ recommended reinstating Machowicz's license on indefinite probation for a period of two (2) years of active practice or the length of her RMA, whichever is longer. Before practicing, Machowicz must complete a refresher course with a clinical component and submit proof to the Board upon successful completion. While on probation, Machowicz is to maintain compliance with her criminal probation, and the terms of her RMA. She must cause her employer to submit quarterly reports and a signed board order. Machowicz cannot work in an unsupervised capacity (i.e., no home health or hospice), or in any supervisory positions for the length of her probation. She must complete 36 CEUs (12 in professionalism/ethics; 12 in critical thinking; and 12 in impaired nursing). reinstatement on probation for length or RMA or 2 years Active Practice (whichever longer), compliance with criminal probation (and paying that fine); (for length of RMA) no home health, hospice, supervisory roles, Respondent must have supervisor; refresher course with clinical component and proof to IPLA before work, 12 CEUs professional and ethics, 12 in critical thinking, 12 in impaired nursing, quarterly reports, signed board orders, compliance with ISNAP RMA

2. In the Matter of the License of Joan Dyben, 27040050A
Administrative Cause No. 2008 NB 0209
DAG: Ryan Eldridge, CLI Brendan Basaran
Respondent: Present and comfortable proceeding without counsel.
Exhibit(s): none

Witness(es): Alyssa Servies, Brittany Sholtis
The ALJ recommended denial of reinstatement.

3. In the Matter of the License of Regina Dennison, 27056902A

Administrative Cause No. 2018 NB 0260

DAG: Ryan Eldridge, CLI Robert Fox

Respondent: Present and comfortable proceeding without counsel.

Exhibit(s): none

Witness(es): Alyssa Servies, Regina Dennison

The ALJ recommended placing Respondent's license on indefinite probation a minimum of one (1) year, with a requirement of (1) one year of active practice. Before practicing, Dennison must complete a refresher course with a clinical component and submit proof to the Board upon successful completion.

Dennison must cause her employer to submit quarterly reports and a signed board order, hold no supervisory positions (i.e., no home health or hospice), have no unsupervised practice as a nurse. While on probation, she must keep the board apprised of any changes in her contact and employment information, including any new discipline at work.

4. In the Matter of the License of Tara Richards, 27074654A

Administrative Cause No. 2019 NB 0062

DAG: Regan Perrodin

Respondent: Tara Richards, present with counsel Cynthia Marcus

Exhibit(s): Respondent's Exhibit 1 (CEU certificates), Respondent's Exhibit 2 (Letter from Jim Ryser), Respondent's Exhibit 3 (IPRP therapist's report from Jim Ryser dated April 3, 2022), Respondent's Exhibit 4 (photo of money orders for \$500 fine to IPLA and \$5 fee to OAG)

Witness(es): Alyssa Servies, Cara Kelly

The ALJ recommended placing the license on indefinite probation for the remainder of her RMA or 1 year of active practice, whichever is longer. While on probation, Respondent must cause her employer to submit quarterly reports and signed board orders. Respondent must keep the board informed of her contact and employment information. Respondent must hold no supervisory roles or work in home health or hospice. Respondent must remain in compliance with her ISNAP RMA. The ALJ indicated that Respondent was not required to complete a refresher course since she has only been suspended for two (2) years and has done 60 CEUs.