

**INDIANA STATE BOARD OF NURSING**

INDIANA GOVERNMENT CONFERENCE CENTER  
AUDITORIUM  
302 WEST WASHINGTON STREET  
INDIANAPOLIS, INDIANA 46204

**MINUTES OF APRIL 15, 2004**

Laurie Peters, R.N., President, called the meeting to order at 8:35 a.m. and declared a quorum in accordance with IC 25-23-1-5.

Members Present: Laurie Peters, R.N., President  
Mervin Helmuth, R.N., Vice President  
Janis Shook, L.P.N., Member  
Carolyn Slagle, R.N., C.N.S., Member  
Susan Dye, R.N., Member  
Ann Parker, R.N., Member  
Darla Jones, L.P.N., Secretary  
Laurel Valentino, R.N., Member  
Traci Little, JD, Consumer Member

Staff Present: Kristen Kelley, Board Director  
Health Professions Bureau  
Jody Edens, Assistant Board Director  
Health Professions Bureau  
Gordon White, Deputy Attorney General  
Office of the Attorney General

The Board voted to adopt the agenda and addendum as amended.

Helmuth/Slagle, 8/0/0

The Board voted to adopt the minutes of March 18, 2004 meeting as amended.

Helmuth/Slagle, 8/0/1 with Ms. Little abstaining

## **INDIANA STATE NURSES ASSISTANCE PROGRAM**

Rick Frankhart, CEO of the Indiana State Nurses Assistance Program (ISNAP) was present. Mr. Frankhart informed the Board there are 405 nurses actively involved with ISNAP. They continue to do educational outreaches at every opportunity. Mr. Frankhart presented to the Board the ISNAP quarterly report. Mr. Frankhart explained the program to the students in the audience.

### **DISCUSSION**

Information regarding delay of Multi-state licensure – Ms. Kristen Kelley addressed the Board regarding this matter. The Executive Committee of the Nurse Licensure Compact Administrators (NLCA) determined that the Indiana legislation which purports to adopt the Nurse Licensure Compact, contains provisions which are materially different from the Compact provisions adopted by all other party states and therefore, the party states, acting through the NLCA, would not recognize Indiana as effectively adopting the Compact or entering the Compact as a party state. Specifically, they had issues with the requirement that the multistate licensure privilege form be approved by the Board before a nurse could begin employment and that this privilege would need to be renewed bi-annually. Therefore, implementation of the Compact in Indiana is indefinitely suspended. In the future, the law will need to be revised through the General Assembly.

In the matter of Kathy Sanders, LPN, Cause No. 2001-NB 017 RE: Request to Reconsider Findings of Fact and Order – Ms. Sanders did not appear in person regarding this matter. The State of Indiana was represented by Stephen Douglas, Deputy Attorney General. Ms. Sanders submitted a letter to the Board requesting reinstatement. Mr. Douglas reminded the Board that Ms. Sanders was suspended for a period of five (5) years. After discussion the Board moved to DENY the request for early reinstatement hearing.

Peters/Jones, 9/0/0

In the Matter of Melanie C. Campbell Bunting, RN, Cause No. 2003 NB 0137 RE: Request to Reconsider Findings of Fact and Order – After reviewing Ms. Campbell-Bunting's letter and taking official notice of its file in the matter the Board moved to DENY Ms. Campbell-Bunting's request.

### **EDUCATION**

Michiana College – Letter of Intent – Hanna Asiem, PN Program Director, Connie Adelman, Campus Director and Sue Donlon, Academic Dean presented this information to the Board. Ms. Asiem explained that this program would run on the monthly delivery system. Meaning that a student will take one (1) course at a time for a full month, completing that class before moving on to the next class. A sister school in Ohio is operating on this system and they have one hundred percent (100%) pass rate. They will have two (2) start dates of twenty (20) students each. They would like to begin the

program January 2005. They will start with four (4) full-time faculty and will increase faculty as they increase classes. After discussion the Board moved to APPROVE their letter of intent. The Board informed the representatives that their next step would be to complete the application for accreditation.

Peters/Slagle, 9/0/0

Commonwealth Business College – Letter of Intent – Carol Marie Cohs, PN Program Director, Tony Rios, President and Sandra Howard, Academic Dean presented this information to the Board. Ms. Cohs explained to the Board that this program would run on the monthly delivery system. This program will be operating in the same manner as the Michiana College. They would like to admit between twenty (20) to sixty (60) students the first year, beginning in January 2005. After discussion the Board moved to APPROVE their letter of intent. The Board informed the representatives that their next step would be to complete the application for accreditation.

Peters/Slagle, 9/0/0

Purdue University North Central – Letter of intent for a generic BSN program – Continued until June

Accreditation decisions from NLNAC – FYI

Purdue University North Central – Request for clarification regarding site visit for ASN-BSN two plus two program – After discussion the Board moved that a survey visit is necessary.

CONSENSUS

Ivy Tech State College, Kokomo ASN program – Report of survey visit – No representatives were present from Ivy Tech State College, Kokomo. The survey visit was good and there were no unmet. The survey visit was approved and they are on full accreditation.

Helmuth/Jones, 8/0/1 with Ms. Peters abstaining

Ivy Tech State College, Fort Wayne ASN program – Report of survey visit – No representatives were present from Ivy Tech State College, Fort Wayne. The survey visit was good and there were no unmet. The survey visit was approved and they are on full accreditation.

Helmuth/Jones, 8/0/1 with Ms. Peters abstaining

## **PERSONAL APPEARANCES**

### **EXAMINATION APPLICANTS**

**Connie Faye Miller** – Ms. Miller appeared before the Board concerning a positive response on her examination application and was not represented by counsel. Ms. Miller has taken and passed the NCLEX examination. Her sobriety date is September 1994. Her drug of choice was Demerol. She attended a five-hundred (500) hour chemical program and attends three (3) AA/NA meetings per week. She is in the process of being evaluated by ISNAP. Carolyn Slagle, RN, will review Dr. Mackey's evaluation. Once Ms. Slagle reviews the evaluation, if it is favorable to the applicant she will receive a full license. If Ms. Slagle sees a problem with the evaluation, the applicant must sign a contract with ISNAP before being licensed.

**Steven Milton Greenberg** – Mr. Greenberg appeared before the Board concerning a positive response on his examination application and was not represented by counsel. Mr. Greenberg told the board he had a DUI in 1991, in 1994 a Misdemeanor Battery charge and another DUI in 2001. He admitted to the Board that he is a recovering alcoholic. After discussion the Board moved to TABLE this matter until Mr. Greenberg receives an evaluation by ISNAP.

### **RENEWALS**

**Marilyn Sue Kaelin, RN** - Continued

**Tamara Louise Love, LPN**

- Tabled pending evaluation by ISNAP

CONSENSUS

**Barbara Joann Randol, RN**

- Approved for Renewal, must sign with ISNAP within 45 days from this hearing

Peters/Helmuth, 9/0/0

## **ADMINISTRATIVE HEARINGS**

The following hearings were continued.

**Dennis Michael Burleson, RN, License No. 28133972A, Cause No. 2003 NB 0154**  
**Sandy Rowena Frantz, RN, License No. 28126650A, Cause No. 2003 NB 0170**  
**Sabrina Ramirez, RN, License No. 28123031A, Cause No. 2003 NB 0080**

**Karen Sue Nichols, RN, NP, License No. 28052172A & 71000595A/B, Cause No. 2003 NB 0149**

Respondent did appear in person and was not represented by counsel regarding a Hearing to Withdraw the Order of Probation scheduled before the Board. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter was Charlotte Hedrick. Ms. Nichols informed the Board that she has met all requirements in her Probation Order. She had completed twenty-four (24) hours of community service and has had six (6) months of active nursing practice. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to WITHDRAW the Order of Probation.

Jones/Slagle, 9/0/0

**Phyllis Gail Froug, RN, License No. 28144018A, Cause No. 2002 NB 007**

Respondent did appear in person and was represented by Mark Naegel regarding a Hearing to Withdraw the Order of Probation scheduled before the Board. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter was Charlotte Hedrick. Ms. Froug is currently working as a teacher at a local College. She hasn't worked as a Nurse since 1999. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to WITHDRAW the Order of Probation.

Peters/Jones, 9/0/0

**Debra Lynn Patton, LPN, License No. 27038276A, Cause No. 2002 NB 0120**

Respondent did appear in person and was not represented by counsel regarding a Request to Reinstate scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent was placed on Indefinite Suspension for a period of ninety (90) days on January 15, 2004. Barclay Wong, Deputy Attorney General objected to this hearing indicating that the Respondent could not request the hearing until after ninety (90) days and asked the Board to dismiss this hearing. After discussion the Board moved to OVERRULE Mr. Barclay's request to dismiss.

CONSENSUS

The Board proceeded with the hearing. Ms. Patton submitted to the Board a copy of her signed ISNAP contract. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent on INDEFINITE PROBATION for a period of one (1) year with terms and conditions.

Peters/Helmuth, 9/0/0

**Kristy Leigh Fannin, LPN, License No. 27047009A, Cause No. 2003 NB 0044**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The

State of Indiana was not represented in this matter and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Helmuth, 9/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Jones/Helmuth, 9/0/0

**Judy Ann Nurge, LPN, License No. 27030162A, Cause No. 2003 NB 0094**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent sent in a request to continue this matter. Mr. Holden informed the Board that he does not object to a continuance. After discussion and taking official notice of its file in this matter the Board moved to CONTINUE this matter.

Peters/Jones, 9/0/0

**Beth Ann Parsons, RN, License No. 28124164A, Cause No. 2003 NB 0164**

Respondent did not appear in person and was not represented by counsel regarding a Settlement Agreement scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by James Holden, Deputy Attorney General. The settlement included INDEFINITE PROBATION for a period of one (1) year with terms and conditions. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

Peters/Slagle, 9/0/0

**Sharon Lynn Vick, LPN, License No. 27034478A, Cause No. 2003 NB 0118**

Respondent did appear in person and was represented by William McCall regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Rick Frankhart was sworn in as a witness for the State. Vickie Gregory was sworn in as a witness for the Respondent. Mr. Frankhart testified that the Respondent's ISNAP contract was closed on March 24, 2004. The Respondent disagreed with her initial documentation from ISNAP and requested a second opinion and they agreed to let her obtain one. However she never followed through with the second evaluation therefore they closed her contract. The

Respondent informed the Board that she completed the Turning Pointe Program an eight (8) week substance abuse program. She attends three (3) AA meetings per week and goes one (1) time per month to a professional AA group meeting. She indicated that her sobriety date for Alcohol was September 26, 2003 and for Marijuana was July 24, 2003. After having considered the evidence presented and taking official notice of its file in the matter the Board moved to place the Respondent's license on INDEFINITE PROBATION for a period of one (1) year and ordered the Respondent to sign a contract with ISNAP within forty-five (45) days from this hearing. She was also ordered to pay a \$500.00 fine within forty-five (45) days from this hearing. The Board further ordered that the INDEFINITE PROBATION would not be effective until the Respondent has signed a contract with ISNAP.

Peters/Helmuth, 8/1/0 with Ms. Jones objecting

**Meinrad D. Gloria, RN, License No. 28133085A, Cause No. 2003 NB 0107**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Helmuth/Shook, 9/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 9/0/0

**Cynthia Ritter Smith, LPN, License No. 27029402A, Cause No. 2003 NB 0169**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Stephen Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Mr. Douglas informed the Board that the Respondent is currently incarcerated in Jasper County and will be for the next four (4) years. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Shook, 9/0/0

At the request of the Board, Mr. Douglas presented evidence for the consideration of a possible Summary Suspension. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Slagle/Helmuth, 9/0/0

**Ruth Ann Cioroianu, RN, License No. 28091771A, Cause No. 2003 NB 0040**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Helmuth, 9/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 9/0/0

**Noelle Maria Langevin, RN, License No. 28113816A, Cause No. 2003 NB 0168**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Shook, 9/0/0

**Donna Marie Hawkins, LPN, License No. 27044780A, Cause No. 2003 NB 0074**

Respondent did appear in person and was represented by Joan Isaacs regarding a Request to Reinstate scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Rick Frankhart, CEO, Indiana State Nurses Assistance Program was sworn in as a witness for the Respondent. Mr. Frankhart testified that the Respondent has signed a contract with ISNAP and is in compliance. She has also been deemed safe to practice by ISNAP. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to REINSTATE the Respondent's license on INDEFINITE PROBATION for a period of five (5) years with terms and conditions.

Peters/Helmuth, 9/0/0

**Diane Marie Harrington, RN, License No. 28089965A, Cause No. 2003 NB 0146**

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by James Holden, Deputy Attorney



General. The settlement included INDEFINITE PROBATION for a period of five (5) years and must receive an evaluation by ISNAP and must receive a Psychological evaluation. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

Helmuth/Jones, 9/0/0

The Board further moved to RENEW the Respondent's license.

Helmuth/Jones, 9/0/0

**Mark A. Hopster, LPN, License No. 27037467A, Cause No. 2004 NB 0031**

Respondent did not appear in person and was not represented by counsel regarding a Settlement Agreement scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent is currently on disability and has not worked as a nurse for two (2) years. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by James Holden, Deputy Attorney General. The settlement included INDEFINITE PROBATION for a period of one (1) year of active nursing practice. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

Shook/Valentino, 9/0/0

**Angela Denise Brock, LPN, License No. 27043359A, Cause No. 2003 NB 0125**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT scheduled before the Board.

Helmuth/Shook, 9/0/0

**Dollie Robin Geary, LPN, License No. 27042631A, Cause No. 2003 NB 0155**

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent was terminated for emotional abuse toward residents. The Respondent committed renewal fraud on her license renewal application. It was found that the Respondent diverted Hydralazine. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Helmuth, 9/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year and ordered the Respondent to obtain three (3) CEU's in each of the following areas.

- Ethics
- Pharmacology
- Documentation
- Geriatrics/Care of the Older Adult

The Respondent was also ordered to pay a fine of \$250.00 within ninety (90) days from the date of this order. It was also ordered that the Respondent receive an evaluation from ISNAP and follow their recommendation.

Peters/Helmuth, 9/0/0

Let the record reflect that Carolyn Slagle left the meeting to conduct a Personal Appearance conference call.

**Marcella Sue Enyeart, RN, License No. 27044425A, Cause No. 2001 NB 072**

Respondent did appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent is non-compliant with her Probation Order. She has not kept the Board informed of her current phone number, therefore the Board could not call her for her random urine drug screens. She has not submitted quarterly reports from her nursing employer nor has she informed the Board that she is not currently working as a nurse. The Respondent is currently on criminal probation until 2007. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a LETTER OF REPRIMAND and ordered that the current PROBATION ORDER will remain in effect.

Peters/Jones, 8/0/1 with Ms. Slagle abstaining

Let the record reflect that Carolyn Slagle re-joined the meeting.

**Deanna Elaine Hembree, RN, License No. 28126104A, Cause No. 2004 NB 0065**

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Stephen Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by Stephen Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The settlement included SUMMARY SUSPENSION for a period of ninety (90) days. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

Peters/Jones, 9/0/0

**Jacqueline S. Sissel, RN, License No. 28125708A, Cause No. 2003 NB 0082**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Ms. Sinn requested that the Board continue this matter. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to CONTINUE this matter.

Peters/Jones, 9/0/0

**Debra Lou Davis, LPN, License No. 27034432A, Cause No. 2003 NB 0072A**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by Kate Sinn, Deputy Attorney General. The settlement included a LETTER OF REPRIMAND. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

Helmuth/Jones, 9/0/0

**Judith A. Bania, LPN, License No. 27031005A, Cause No. 2003 NB 0006**

Respondent did appear in person and was not represented by counsel regarding a Request to Withdraw the Order of Probation scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent has signed a one (1) year contract with ISNAP and is compliant. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the WITHDRAWAL OF PROBATION.

Peters/Helmuth, 9/0/0

**Roberta Jean Koontz, LPN, License No. 27039236A, Cause No. 2004 NB 0002**

Respondent did not appear in person and was not represented by counsel regarding a Settlement Agreement scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by Barclay Wong, Deputy Attorney General. The settlement included a LETTER OF REPRIMAND. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY the settlement agreement. The Board indicated that they would like to see continuing education and an anger management class included into the agreement.

Peters/Helmuth, 9/0/0

**Virginia May Humphrey, LPN, License No. 27011199A, Cause No. 2003 NB 0171**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Jones, 9/0/0

Let the record reflect that Laurie Peters was out of the meeting for the following hearing.

**Susan Kroll Batton, RN, License No. 28104341A, Cause No. 2001 NB 0057**

The Respondent did appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Rick Frankhart, CEO of the Indiana State Nurses Assistance Program (ISNAP) was sworn in as a witness for the State. Mr. Batton was sworn in as a witness for the Respondent. Mr. Frankhart testified that the Respondent first contacted ISNAP January 2002 but had difficulties in keeping appointments for her evaluations. The Respondent's signed ISNAP contract was due back to ISNAP on April 29, 2002 but wasn't received until August 2002. He also indicated to the Board that the Respondent's AA reports did not seem to be legitimate and there were also missing AA reports. The Respondent has also had missing UDS as well as some with a low creatin level. She was delinquent in getting reports from Dr. Kelly; this was due to her not keeping appointments with him. Mr. Frankhart indicated that ISNAP believes the Respondent is a clear and immediate danger to the public should she be allowed to continue to practice. The Respondent testified that she has worked for the same company for five and a half (5 ½) years. She works for an insurance agency and only has contact with patients by phone. She does not have access to any type of narcotics. She indicated to the Board that she has not taken any unauthorized narcotics since June 2003. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RECESS the Hearing and to RECONVENE in June 2004 to give the Respondent and ISNAP time to straighten out matters. The Board ordered ISNAP to keep the Respondent's contact open for the duration.

Helmuth/Jones, 8/0/0

**Donna Little, RN, License No. 28117324A, Cause No. 2003 NB 0167**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Stephen Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and

taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Helmuth/Dye, 8/0/0

At the request of Stephen Douglas, Deputy Attorney General the Board agreed to hear testimony regarding this matter. Scott Hicks was sworn in as a witness for the State. Mr. Hicks testified that the Respondent was terminated for missing Demerol. The Respondent indicated to her place of employment that she couldn't remember what happened to the Demerol. He also testified the Respondent would appear very nervous right before her breaks and lunch hour and when she returned she would appear very calm. He indicated that the facility never did determine what happened to the Demerol, but the patients indicated that they did not receive the medication. The Board thanked the witness for his testimony.

Let the record reflect that Laurie Peters re-joined the meeting.

**Kirsten Delaney Pearson, RN, License No. 28134050A, Cause No. 97 MN 037**

Respondent did appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Rich Frankhart, CEO of the Indiana State Nurses Assistance Program (ISNAP) was sworn in as a witness for the State. Mr. Frankhart testified that the Respondent has missed fourteen (14) UDS in a one (1) year span. The UDS she submitted on March 10, 2004 did not contain urine. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to FINE the Respondent \$250.00 payable within six (6) months from the date of the order and ordered the Respondent to re-sign a contact with ISNAP within forty-five (45) days from today.

Peters/Shook, 8/1/0 with Ms Jones objecting

**James M. Franklin, RN, NP, License Nos. 28135849A & 71001453A/B, Cause No. 2004 NB 0014**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent sent in a letter requesting a continuance. The State does not object. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to CONTINUE this matter.

Peters/Shook, 9/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 9/0/0

**Nancy Laverna Garner, RN, License No. 28102403A, Cause No. 2003 NB 0026**

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent's license was disciplined in the State of Kentucky. The Respondent attacked a Kentucky Board Member. She has been diagnosed as Severely Psychologically Disturbed. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Slagle, 9/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year and ordered the Respondent to receive a psychiatric evaluation by a Board certified Psychiatrists within thirty (30) days prior to a request to reinstate.

Jones/Helmuth, 9/0/0

**Steven Dwayne Archer, LPN, License No. 27043013A, Cause No. 2004 NB 0072**

Respondent did appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Rick Frankhart, CEO of the Indiana State Nurses Assistance Program (ISNAP) was sworn in as a witness for the State. Mr. Frankhart testified the Respondent was sent an outreach letter on February 6, 2004 and ISNAP has not received a response from him. The Respondent was terminated from Select Specialty Hospital when he tested positive on a random urine drug screen. The Respondent informed the Board that he used the narcotic one time to self treat his depression. He indicated that he has been diagnosed with depression and is currently being treated for it. He takes 20 milligrams of Prozac daily. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to DENY the SUMMARY SUSPENSION and strongly suggested to the Respondent that he contact ISNAP for an evaluation.

Peters/Jones, 9/0/0

**Mildred Marie Savage, RN, License No. 28074505A, Cause No. 2004 NB 0068**

Respondent did appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Rick Frankhart, CEO of the Indiana State Nurses

Assistance Program (ISNAP) was sworn in as a witness for the State. Mr. Frankhart testified that the Respondent's contract with ISNAP was closed on March 30, 2004 for non-compliance. She had two (2) positive urine drug screens, failed to increase her AA meetings as instructed. Mr. Frankhart indicated to the Board that they believe the Respondent is a danger to the public health and safety should she be allowed to continue to practice. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 8/1/0 with Ms. Jones objecting

**Kari Sue Rush, LPN, License No. 27039567A, Cause No. 2004 NB 0071**

Respondent did appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent was arrested for making Methamphetamine. When she was arrested paraphernalia used in smoking Meth was found in her pocket. The lab for making Meth was found in the garage at her Mother's house. She informed the Board that she did not live there and she believed the equipment to be her brothers who lived at the residence. She had a drug screen the day she was arrested and it was negative. While she was on criminal probation all of her urine drug screens were negative. She was on criminal probation for the possession of paraphernalia. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY the SUMMARY SUSPENSION.

Peters/Helmuth, 9/0/0

**Jamie Sue Evans, RN, License No. 28157142A, Cause No. 2004 NB 0073**

Respondent did appear in person and was represented by John Boren regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent has been charged with having a sexual relationship with a fifteen (15) year old boy and providing alcohol to a minor. She is thirty-nine years old. She indicated to the Board she did not have a sexual relationship with the Boy in question. This Boy is a very good friend of her sons and she has a "Mother type" relationship with him. The Boy said the allegations were not true. She indicated that the Police Officer that interrogated her actually wrote out a confession and coerced into signing it. The Respondent also informed the Board that Bloomington Hospital was aware of the charges and they have agreed that she will not have any access to minor patients. The criminal charges are pending with the courts. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY the SUMMARY SUSPENSION.

Peters/Jones, 9/0/0

Let the record reflect that Mervin Helmuth left the meeting for the following hearing.

**Kelley Lea Eyler, LPN, License No. 27042332A, Cause No. 2004 NB 0066**

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Rick Frankhart, CEO of the Indiana State Nurses Assistance Program (ISNAP) was sworn in as a witness for the State. Mr. Frankhart testified that the Respondent's contract was closed on April 4, 2004 for non-compliance. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 8/0/0

**Kimberly A. Schultz, LPN, License No. 27033537A, Cause No. 2004 NB 0069**

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Rick Frankhart, CEO of the Indiana State Nurses Assistance Program (ISNAP) was sworn in as a witness for the State. Mr. Frankhart testified that the Respondent's license was closed for non-compliance. The Respondent took a job without ISNAP's approval and has had positive urine drug screens. He believes she is an immanent risk to the public health and safety should she be allowed to continue to practice. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 8/0/1 with Mr. Helmuth abstaining

Let the record reflect that Mervin Helmuth re-joined the meeting.

**Laura Nussmeier, RN, License No. 28129893A, Cause No. 2004 NB 0067**

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Rick Frankhart, CEO of the Indiana State Nurses Assistance Program (ISNAP) was sworn in as a witness for the State. Mr. Frankhart testified that the Respondent's contract was closed due to non-compliance. He believes she is an immanent risk to the public health and safety should she be allowed to continue to practice. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 9/0/0

**Bonnie Jean Walker, LPN, License No. 27015107A, Cause No. 2001 NB 0065**



Respondent did not appear in person and was not represented by counsel regarding a Motion to Dismiss Complaint scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Ms. Johnson filed the motion to dismiss. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DISMISS the complaint.

Helmuth/Dye, 9/0/0

**Carla Jean Jackson, LPN, License No. 27031266A, Cause No. 2004 NB 0064**

Respondent did not appear in person and was not represented by counsel regarding a Defendant's Motion for Extension of Time to Answer Plaintiff's Complaint scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After discussion the Board moved to set this matter two (2) to three (3) months out.

CONSENSUS

**Jerome August Cerny, RN, License No. 28086391A, Cause No. 2003 NB 0068**

Respondent did not appear in person and was not represented by counsel regarding the Petitioner's Motion for Enlargement of Time scheduled before the Board. The State of Indiana was represented by Sarah Matticks, Deputy attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Ms. Matticks requested the Board to extent her time to submit the Brief regarding this matter to Monday, April 19, 2004. After discussion the Board moved to GRANT this request.

CONSENSUS

**Charles Marcell Cooper, LPN, License No. 27028314A, Cause No. 2003 NB 0161**

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Jones, 9/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year.

Peters/Shook, 9/0/0

**Bettie Lou Roberts, LPN, License No. 27031325A, Cause No. 2003 NB 0159**

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was

represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Helmuth/Parker, 9/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year.

Slagle/Shook, 9/0/0

### **ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS**

The Board approved the following ALJ recommendation submitted by Celinda Kay Leach, R.N. from the January 20, 2004, hearings.

Robyn Lynn Kellerman, LPN

- Approved request to withdraw order of probation

Shannon Sue Brown, LPN - The Board reviewed the brief submitted by Ms. Brown regarding the findings of Celinda Kay Leach, R.N. at the January 20, 2004 hearings. After discussion the Board moved to UPHOLD the ALJ Recommendation to DENY the WITHDRAWAL of PROBATION.

Peters/Helmuth, 9/0/0

There being no further business, the meeting adjourned at 9:30 p.m.

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Laurie Peters, R.N., President

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Darla Jones, L.P.N., Secretary

