

INDIANA STATE BOARD OF NURSING

INDIANA GOVERNMENT CONFERENCE CENTER
ROOM C
302 WEST WASHINGTON STREET
INDIANAPOLIS, INDIANA 46204

MINUTES OF APRIL 18, 2002

Marsha M. King, 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: Marsha M. King, R.N., President
Laurie F. Peters, R.N., Vice President
Darla Jones, L.P.N., Secretary
Maurene Thomas, R.N., Member
Janis Shook, L.P.N., Member
Mervin Helmuth, R.N., Member

Members Absent: Traci Little, Consumer Member

There is currently one vacant position on the Board.

Staff Present: Kristen Kelley, Board Director
Health Professions Bureau
Jody Edens, Assistant Director
Health Professions Bureau
Becky Walker, Deputy Attorney General
Office of the Attorney General
Jim Schmidt, Deputy Attorney General
Office of the Attorney General

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

Peters/Thomas, 6/0/0

The Board voted to accept the minutes of the March 21, 2002 meeting as corrected.

Thomas/Shook, 6/0/0

INDIANA STATE NURSES ASSISTANCE PROGRAM

Tom Bissonette, Program Director of the Indiana State Nurses Assistance Program (ISNAP) was present along with staff members: Marianne De Angelo, Donna Goch, and Nancy Higgins. Tom introduced his new staff to the Board. Donna Goch recently joined

ISNAP as a case manager. Nancy is a student intern working with ISNAP. Tom presented the Board with their quarterly report. There have been 27 intakes this quarter and in non-compliance closures. He also indicated that there has been a rise of self-referrals to the program. The average age of a participant in the ISNAP program is 42.4 years. There are currently 171 females and 25 males in the program. The percentage of males in the program is above the percentage of nurses in Indiana.

Tom indicated to the Board that ISNAP is continuing their outreach to the communities. They recently help establish nurse support groups in Evansville and Fort Wayne.

ISNAP will begin working on a new research project studying the affects that ISNAP has on nurses in Indiana and the most effective treatment and monitoring practices for health care professionals. Carol Fletcher, PhD, RN will be running this survey. The survey will take approximately three (3) months. Tom will share the results with the Board. They have applied for a grant to fund this project.

Tom went over the revised ISNAP recovery monitoring agreement (RMA) used for participants. After reviewing the RMA, the Board agreed that it was acceptable.

The Board asked Tom what the process is when a participant relapses. He indicated that you can not really relapse until you are in recovery. If you are not in recovery, you have continued to use. If it is a person that the Board has ordered into the program than Kristen will know about the relapse very quickly. When they are aware of a relapse, they will connect with the nurse participant immediately. If they are working as a nurse, then the worksite monitor is contacted and they are instructed to stop working. They give them an hour to quit working and then they call back the worksite monitor. They then need to be reassessed by an addictionologist. They may also need to be retreated. The contract may need to be revised and stipulations may need to be added such as stop bedside nursing or restrict the access to controlled substances. But they continue to support the nurse through all of this. If they take another job, they will be in violation of the contract and will be reported.

Tom addressed the students in the audience regarding the program and handed out literature on ISNAP.

EDUCATION

Marion Community Schools – Request to offer a 18-month program – Jerry Whitton was present to discuss the 18-month program with the Board. 848 IAC 1-2-18(a) states “The length of a full-time program shall be two (2) semesters and one (1) summer session or four (4) quarters within one (1) calendar year.” The Board informed Mr. Whitton that if Marion Community wished to proceed with an 18-month program it would be considered a part-time program and that he should consider the effects this would have on the School. He stated that at this time they would leave it a 12-month program and do some research on how being considered a part-time program would affect the School. The Board thanked him for attending.

SURVEY VISITS

The Board approved the following survey visits by consensus:

Bethel College – ASN program – They have a good survey visit report and no unmets.

Ivy Tech State College-Sellersburg-ASN program – Representatives were present. They have a good survey visit report and no unmets. They explained to the Board that they were hoping to get more office space and that it is difficult for them to have a good knowledge of the school's pass/fail rate because at least 50% of their students take the examination in Kentucky and they never get reports from them.

DISCUSSION

Dennis Ray Thompson, LPN, License No. 27044408, Cause No. 2001 NB 026 – Request to Reconsider Suspension Order – Mr. Thompson appeared before the Board and was not represented by counsel. The State of Indiana was represented by Shelette Alexander Veal, Deputy Attorney General. Mr. Thompson indicated to the Board that he had been hospitalized for treatment when the notice of proposed default was mailed. Due to this he signed for it sixteen (16) days after the response deadline. Mr. Thompson's initial contract with ISNAP began in January 2002, and he signed a contract with them on April 11, 2002. His sobriety date is January 2002. Ms. Alexander Veal filed a written objection to this matter. After discussion, the Board AGREED to hold a hearing on Mr. Thompson's motion to rescind the default order.

King/Jones, 5/1/0, with Ms. Peters Objecting

Establish a committee to promulgate rules for multi-state licensure – The Board requested to see the template from the NCSBN at the May meeting. They will then go forward with establishing a committee at that time.

Letter from Indiana State Department of Health – Nursing triage by LPN's – After reviewing the letter, the Board needed more clarification. They cannot tell by the letter if there is any supervision or if there is anyone on the premises. The Board requests more details regarding the actual supervision of a RN or MD and in what kind of setting. The Board asked that they appear to discuss this matter; they do not feel they can give any direction with the information provided in the letter.

National certification requirements for prescriptive authority – After discussion concerning prescriptive authority requirements, the Board indicated that you do not need to be nationally certified if you have a bachelor's degree.

In the Matter of Mary Bernadette O'Leary, RN, Cause No. 2001 NB 046 – Motion to Set Aside Order of Suspension – Ms. O'Leary was not present and was not represented by

counsel. Shelley Johnson, Deputy Attorney General represented the State of Indiana. At the December 13, 2001 meeting the Board voted by a vote of 4/0/0 to place Ms. O'Leary's license on Indefinite Suspension for a period of one (1) year. Ms. O'Leary's attorney was not notified of the December 13, 2001 default hearing. After discussion, the Board MOVED to set aside the Indefinite Suspension order because of the lack of notification to Ms. O'Leary's attorney and reschedule for another disciplinary hearing.

King/Jones, 6/0/0

PERSONAL APPEARANCES

ADVANCED PRACTICE NURSE PRESCRIPTIVE AUTHORITY

Francisco Acevedo, Jr., RN, FNP – Applicant appeared before the Board concerning his application for the advanced practice nurse prescriptive authority. Mr. Acevedo explained to the Board that he would be operating as a FNP through a mobile practice. He will be going to such places as private homes, golf courses, spas, and convention centers. The Board voiced their concerns to Mr. Acevedo about the geographic location of his Supervising Physician. Dr. Silverman is located in Highland, Indiana. Mr. Acevedo assured the Board that Dr. Silverman would be available to him when needed. Mr. Acevedo told the Board that he does all his charting through medscape.com. After discussion, the Board moved to GRANT his application prescriptive authority.

King/Thomas, 6/0/0

RENEWAL APPLICANTS

Kathy Sue Schmeltzer, LPN, License No. 27013823 – Practitioner appeared before the Board concerning a positive response on her renewal application and was not represented by counsel. Ms. Schmeltzer told the Board that she goes to AA meetings daily and her sobriety date is December 2000. She hasn't worked as a nurse for about seven (7) years, she has been doing factory and landscape work. Fairbanks is ready to offer her a nursing position. She has never worked while she was impaired, nor has she ever been approached by her workplace for being impaired. She currently lives in a recovery house. After discussion the Board moved to DENY her request for renewal. The Board further suggested to Ms. Schmeltzer that she contact ISNAP.

King/Jones, 6/0/0

Deboarh Sue Roberts, LPN, License No. 27033325 – Practitioner appeared before the Board concerning a positive response on her renewal application and was not represented by counsel. Ms. Roberts told the Board that when she was first put on probation she did not believe she had a problem and left the nursing field. She has not worked as a nurse for the past nine (9) years. She used this time to get to know herself and understand that she did have an addiction problem. Her sobriety date is August 2000. She attends three (3) to four (4) AA/NA meetings a week, and signed a contract with ISNAP in March

2002. Ms. Robert's LPN license is currently on probation with the Board. After discussion, Ms. Roberts agreed with the Board to MODIFY her current terms of PROBATION to include ISNAP program. After discussion the Board voted to RENEW the practitioner's license on PROBATION.

King/Jones, 6/0/0

ADMINISTRATIVE HEARINGS

The following hearings were continued:

Lisa Suzanne Ferree, RN, LPN, License Nos. 28149121 & 27036506, Cause No. 2002 NB 011
Laura L. Forrester, LPN, License No. 27026166, Cause No. 2002 NB 029
Virginia Lee Coyle, LPN, License No. 27026134, Cause No. 2002 NB 030

Jacqueline Fraley-McQueary, LPN, License No. 27037055, Cause No. 2002 NB 031

Respondent did appear in person and was not represented by counsel regarding an Administrative Hearing scheduled before the Board. The State of Indiana was represented by Eleanor Finnell, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. In April 1998, the Respondent was charged in Brown County Circuit Court with OVWI. Her drug screen indicated there was no alcohol in her system, however it did indicate a small amount of marijuana. She was charged with two (2) counts, but through a plea bargain the Respondent was convicted of one (1) count. The Respondent was sentenced to sixty (60) days and served two (2). She served one (1) year criminal probation, which has been successfully completed. She was at this time evaluated by Dr. Cockrell and was found not to be a candidate for the program. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to place the Respondent's license on INDEFINITE PROBATION with terms and conditions. After six (6) months the Respondent may seek to have the probation withdrawn.

King/Thomas, 6/0/0

Kathleen Tucco, LPN, License No. 27043145, Cause No. 2002 NB 017

Respondent did appear in person and was represented by Steve Johnsonbaugh regarding an Administrative Hearing and Renewal Application scheduled before the Board. The State of Indiana was represented by Kimberly Brown, Deputy Attorney General and the court reporters sworn in for this matter were Linda Merkl and Nancy Arnold. The Respondent while working as a certified nursing assistant was charged with abuse of a patient. After her hearing, the findings were that the abuse was substantiated. Her C.N.A. license has been coded so that she can never again work in Indiana as a C.N.A. She did not appeal this decision because she has just gotten her LPN license and didn't need to work as a C.N.A. On her LPN renewal application she answered "no" to the question "Has any Health Profession license, certificate, registration, or permit you hold or have held been disciplined or are formal charges pending?" She indicated that she misunderstood the questions. Since the renewal said "Since you last renewed have

you...”, she thought the answers would all be no because this was the first time she has renewed. She indicated to the Board that she would have appealed the decision concerning her C.N.A. license if she knew it was going to affect her LPN license. She told the Board that the abuse never happened but a jealous co-worker made it up. She submitted to the Board copies of employment evaluations, which indicated ratings of good to excellent. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DISMISS the complaint. This motion was made by Darla Jones, LPN, but was not seconded. After further discussion the Board MOVED to find that she fraudulently completed her renewal application and issued a LETTER OF REPRIMAND.

Peters/Thomas, 5/1/0, with Ms. Jones Objecting

Carol Denise Higgenbottom, LPN, License No. 27036558, Cause No. 2001 NB 028

Respondent did not appear in person and was not represented by counsel regarding an Administrative Hearing scheduled before the Board. The State of Indiana was represented by Kimberly Brown, Deputy Attorney General and the court reporter sworn in for this matter was Nancy Arnold. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to issue a NOTICE OF PROPOSED DEFAULT.

King/Peters, 5/0/1, with Ms. Shook Abstaining

Cheryl Renee Beaver, RN, License No. 28125454, Cause No. 2002NB 037

Respondent did not 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 Nancy Arnold. Tom Bissonette, Program Director of ISNAP, was sworn in as a witness to testify for the State. The Respondent is currently incarcerated for prescription fraud. Mr. Bissonette testified that the Respondent was in the process of signing a contract with ISNAP, and was scheduled to get an addictionology examination on April 16, 2002. Mr. Bissonette was not sure if that had occurred due to the Respondent being incarcerated. After having considered the evidence presented, the testimony of the witness and taking official notice of its file in this matter the Board voted to ACCEPT the state’s recommendation of a SUMMARY SUSPENSION for ninety (90) days and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Jones, 6/0/0

Valerie Karen Pasko, RN, License No. 28120745, Cause No. 2002 NB 041

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 Shelette Alexander Veal, Deputy Attorney General and the court reporter sworn in for this matter was Nancy Arnold. While employed with Dr. Bernstein, the Respondent called in two prescriptions for herself using a co-worker’s name. The

prescriptions were for Darvocet. This was done without the Doctor's permission. The Respondent does not believe that she has a drug problem. She was taking 4-6 Darvocet per day and gave some to a friend who had been in a car wreck. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Peters, 6/0/0

Rebecca E. Hobbs, LPN, License No. 27016007, Cause No. 2002 NB 019

Respondent did not appear in person and was not represented by counsel regarding a Preliminary and Administrative Hearing scheduled before the Board. The State of Indiana was represented by Eleanor Finnell, Deputy Attorney General and the court reporter sworn in for this matter was Nancy Arnold. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to issue a NOTICE OF PROPOSED DEFAULT.

King/Peters, 6/0/0

The Board further voted to EXTEND the Summary Suspension of the Practitioner's license for an additional ninety (90) days and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Thomas, 6/0/0

Bradley James Cross, RN, License No. 28120745, Cause No. 2002 NB 042

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 Shelette Alexander Veal and the court reporter sworn in for this matter was Nancy Arnold. Tom Bissonette, Program Director of ISNAP, was sworn in as a witness to testify for the State. In 2000 the Respondent was arrested for prescription fraud in the state of Michigan. He was charged with seventy-nine (79) counts of an unauthorized prescription for Vicodin, but the charge was dropped to one (1) count with his agreement to enter a diversion program. Respondent agreed to these terms on January 16, 2001. On September 7, 2001 he fraudulently completed his renewal application by answering "no" all questions. Mr. Bissonette testified that the Respondent was terminated from his ISNAP contract for non-compliance. After having considered the evidence presented, the testimony of the witness and taking official notice of its file in this matter the Board voted to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Jones, 6/0/0

Barbara Jill Whitten, LPN, License No. 27036808, Cause No. 2002 NB 044

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 Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Nancy Arnold. On August 2, 2001, Respondent was arrested for possession of cocaine. On October 23, 2001, Respondent was arrested for prostitution and on February 12, 2002, Respondent was arrested for vehicle theft. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Jones, 6/0/0

Courtney Anne Berndt, RN, License No. 28138495, Cause No. 2002 NB 043

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 Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Nancy Arnold. Ms. Johnson indicated to the Board that the Respondent has agreed in writing to the Summary Suspension of her license. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to ACCEPT the state's recommendation of a SUMMARY SUSPENSION for ninety (90) days and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Thomas, 6/0/0

Erma J. Lester, LPN, License No. 27040963, Cause No. 2002 NB 089

Respondent did not appear in person and was not represented by counsel regarding an Administrative Hearing 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 Nancy Arnold. After having considered the evidence presented and taking official notice of this file in its matter, the Board voted to issue a NOTICE OF PROPOSED DEFAULT.

King/Peters, 6/0/0

Anita F. Mahoney Dearing, LPN, License No. 27011839, Cause No. 2002 NB 018

Respondent did not appear in person and was not represented by counsel regarding a Preliminary and Administrative Hearing scheduled before the Board. The State of Indiana was represented by Kimberly Brown, Deputy Attorney General and the court reporter sworn in for this matter was Nancy Arnold. After having considered the evidence presented and taking official notice of this file in its matter, the Board voted to issue a NOTICE OF PROPOSED DEFAULT.

King/Shook, 6/0/0

The Board further voted to EXTEND the Summary Suspension of the Practitioner's license for an additional ninety (90) days.

King/Shook, 6/0/0

Alberta Joan Jeffrey, LPN, License No. 27026818, Cause No. 2002 NB 016

Respondent did not appear in person and was not represented by counsel regarding a Preliminary and Administrative Hearing scheduled before the Board. The State of Indiana was represented by Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Nancy Arnold.

After having considered the evidence presented and taking official notice of this file in its matter, the Board voted to issue a NOTICE OF PROPOSED DEFAULT.

King/Thomas, 6/0/0

The Board further voted to EXTEND the Summary Suspension of the Practitioner's license for an additional ninety (90) days and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Jones, 6/0/0

Victoria Creighton Simonsen, RN, License No. 28118374, Cause No. 97 NB 027

Respondent did appear and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Kimberly Brown, Deputy Attorney General and the court reporter sworn in for this matter was Nancy Arnold. Marlene Aldred, RN and Debra Locke, RN were sworn in as witnesses to testify for the State. Larry Neal, LPN, was sworn in as a witness to testify for the Respondent. Ms. Locke testified that she has worked with the Respondent for the past six (6) weeks. That on the day in question Ms. Locke received a call at home from Kim Brown, RN that the Respondent was acting funny at work. She was unable to walk down the hallway and was leaning over the med cart. Ms. Locke asked the nurse to take the Respondent's sugar level and blood pressure and to have the Respondent sit down. Ms. Locke also asked the nurse to take the med keys away from the Respondent. Ms. Locke made arrangements for the Respondent to go to Parkview Hospital emergency room and requested that the Hospital do a blood alcohol/drug screen. Ms. Locke immediately came into work. Ms. Locke spoke to the Hospital and the Respondent's screen was positive for Opiates and Alcohol, with an alcohol level of .33. The Respondent returned to the facility intending to drive herself home. Ms. Locke refused to let her drive home and proceeded to take her home. Ms. Aldred later terminated the Respondent. The Respondent told the Board that she did not realize she was that intoxicated. She went to an Easter party the night before and was drinking the punch.

She said she realized it was spiked but never thought she would get intoxicated from drinking it. She indicated to the Board that she thought she was having a stroke or something was seriously wrong when she couldn't stand up at work. She told the Board that her screen was positive for Opiates due to the fact that she was taking Viox and Vicoden for her injured shoulder and knee. Respondent is currently on probation with the Board. After having considered the evidence presented, the testimony of the witnesses and taking official notice of its file in its matter, the Board voted to place the Respondent's license on SUMMARY SUSPENSION and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Jones, 6/0/0

Rhonda K. Fleenor, LPN, License No. 27046573, Cause No. 2002 NB 032

Respondent did appear in person and was not represented by counsel regarding an Administrative Hearing scheduled before the Board. The State of Indiana was represented by Eleanor Finnell, Deputy Attorney General and the court reporter sworn in for this matter was Nancy Arnold. The Respondent requested a continuance due to the fact that she wanted to obtain an attorney for representation. After discussion, the Board APPROVED the CONTINUANCE.

CONSENSUS

Carol Sue Britton, LPN, License No. 27020456, Cause No. 2001 NB 090

Respondent did appear in person and was not represented by counsel regarding an Administrative Hearing 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 Nancy Arnold. Irene Conder was sworn in as a witness to testify for the State. The Respondent pled guilty to prescription fraud for calling in prescriptions to three (3) different pharmacies for one hundred (100) Vicoden each. The Respondent was arrested while taking possession of one said prescription. The Respondent pled guilty to a misdemeanor and received a 365 day suspended sentence. She was placed on probation for 365 days and received 80 hours of community service. She was also required to do random drug screens. She has successfully completed her criminal probation. The Respondent has not practiced nursing since 1985 due to a disability. She told the Board that she didn't mind if the Board suspended her license. After having considered the evidence presented and taking official notice of this file in its matter, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board prior to seeking reinstatement. After one (1) year the Respondent may seek reinstatement of her license.

King/Jones, 6/0/0

Let the record reflect that Marsha King abstained from the following hearing:

Laura Lee Harrold, LPN, License No. 27037424, Cause No. 2001 NB 092

Respondent did not appear in person and was not represented by counsel regarding a Preliminary and Administrative Hearing 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 Linda Merkl. After having considered the evidence presented and taking official notice of this file in its matter, the Board voted to issue a NOTICE OF PROPOSED DEFAULT.

Jones/Shook, 5/0/0

The Board further voted to EXTEND the SUMMARY SUSPENSION for an additional ninety (90) days.

Peters/Jones, 5/0/0

At the request of Ms. Johnson, the Board agreed to hear the State's witnesses. Those sworn in to testify for the State were Michael Millar and Detective Scott Matzke. Mr. Millar testified that the Respondent withdrew Demerol from the medication machine for several patients in which she did not administer the drug. The Respondent tested positive for Methadone and Opiates in a drug screen. Detective Scott Matzke testified that the Respondent ordered ten (10) vials of Demerol from the Pharmacy for a patient, but the patient never received any of the Demerol. He also testified that the Respondent was charged with sexual misconduct with a minor, and theft of a charge card. The Board thanked the witnesses for their testimony.

Sherrie Ann Detwiler, RN, License No. 28095382, Cause No. 2001 NB 059

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default and Response 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 Linda Merkl. The Respondent is non-compliant with her terms of Probation. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to hold the Respondent in DEFAULT.

King/Jones, 6/0/0

After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of two (2) years. After two (2) years the Respondent may seek reinstatement of her license.

King/Helmuth, 6/0/0

Janet Sizemore Schilling, RN, License No. 28108442, Cause No. 96 NB 041

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 Kimberly Brown, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. The Respondent is non-compliant with her ISNAP contract. She admitted to a relapse into the use of Darvocet. After having considered the evidence presented and taking official notice of this file in its matter, the Board voted to hold the Respondent in DEFAULT.

King/Jones, 6/0/0

After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of five (5) years. After five (5) years the Respondent may seek reinstatement of her license.

King/Jones, 6/0/0

Julie Anne Dudley Reed, LPN, License No. 27043869, Cause No. 2001 NB 099

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 Eleanor Finnell, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. Ms. Finnell reminded the Board of the testimony they heard regarding this matter at their January 17, 2002 meeting. After having considered the evidence presented and taking official notice of this file in its matter, the Board voted to hold the Respondent's license in DEFAULT.

King/Thomas, 6/0/0

After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of two (2) years. After two (2) years the Respondent may seek reinstatement of her license.

King/Peters, 6/0/0

Nancy Lynn Garlit, LPN, License No. 27036831, Cause No. 2002 NB 014

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 Eleanor Finnell, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. Ms. Finnell reminded the Board of the testimony they heard regarding this matter at their January 17, 2002 meeting. After having considered the evidence presented and taking official notice of this file in its matter, the Board voted to hold the Respondent's license in DEFAULT.

King/Helmuth, 6/0/0

After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of two (2) years and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board prior to requesting reinstatement. After two (2) years the Respondent may seek reinstatement of her license.

Helmuth/King, 5/1/0, with Ms. Jones Objecting

Amy Michelle Bateman, LPN, License No. 27047619, Cause No. 2002 NB 003

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 Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. Ms. Orlich reminded the Board of the testimony they heard regarding this matter at their January 17, 2002 meeting. After having considered the evidence presented and taking official notice of this file in its matter, the Board voted to hold the Respondent's license in DEFAULT.

King/Jones, 6/0/0

After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of five (5) years and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board prior to requesting reinstatement. After five (5) years the Respondent may seek reinstatement of her license.

King/Shook, 6/0/0

Jerry Dewayne Hunter, LPN, License No. 27035646, Cause No. 2001 NB 088

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 Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. After having considered the evidence presented and taking official notice of this file in its matter, the Board voted to hold the Respondent's license in DEFAULT.

Helmuth/Shook, 6/0/0

After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of ten (10) years and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board prior to requesting reinstatement. After ten (10) years the Respondent may seek reinstatement of his license.

King/Thomas, 6/0/0

Michael Lynn Jones, RN, LPN, License No. 28144868 & 27034855, Cause No. 2002 NB 013

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 Eleanor Finnell, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. Ms. Finnell reminded the Board of the testimony they heard regarding this matter at their March 21, 2002 meeting. After having considered the evidence presented and taking official notice of this file in its matter, the Board voted to hold the Respondent's license in DEFAULT.

King/Helmuth, 6/0/0

After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of five (5) years and requested that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board prior to requesting reinstatement. After five (5) years the Respondent may seek reinstatement of his license.

Thomas/Jones, 6/0/0

ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS

The Board approved the following ALJ recommendations submitted by Celinda Kay Leach, R.N. from the March 5, 2002 hearings:

Theresa Morgan, LPN
Sherrie Litteral, RN
Carolyn Carman, RN
Stephen Wayne Gilbert, LPN
Sonya Yvette Ruffin, LPN
Dolma O. Kendrick, LPN
Todd Austin, RN

Helmuth/Jones 6/0/0

The Board did not accept the ALJ recommendation on Wanda Sue Luther, RN regarding an Administrative Hearing and Response. Ms. Luther submitted a written request to surrender her license to the Board due to health problems. After consideration of Ms. Luther's letter the Board moved to ACCEPT the SURRENDER of the Ms. Luther's license.

King/Peters, 6/0/0

The Board considered Janet Lee Taylor, RN's, request to Object to the Recommended Findings of Fact and Order. The Board stated that both parties should have the opportunity to present briefs in this matter. The parties shall have until May 10, 2002 to file briefs and this matter will be rescheduled for the May 16, 2002 meeting.

King/Jones, 6/0/0

APPLICATIONS

Cheryl Yvonne Petty, RN – The Board reviewed Ms. Petty's application for prescriptive authority and agreed that she does not meet the Pharmacology requirements as it is was completed more than five (5) years ago.

CONSENSUS

There being no further business, the meeting adjourned at 6:00 p.m.

Marsha M. King, R.N., President

Darla Jones, L.P.N., Secretary