

INDIANA STATE BOARD OF NURSING

met on
Thursday, August 18, 2011
at 8:30 a.m.
in the Auditorium of the
Indiana Government Center-South
302 West Washington Street
Indianapolis, Indiana 46204

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

8:30 a.m.

Mr. Burghduff, L.P.N., President of the Indiana State Board of Nursing, called the meeting to order at 8:30 a.m. in the Auditorium of the Indiana Government Center South Building, 302 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-23-1-5(b).

Board Members Present:

Jerry Burghduff, L.P.N., President
Constance McIntosh, R.N., Secretary
Marcia Laux, R.N., Member
Natalie Hall, R.N., Member
Karen Dolk, R.N., Member
Holly Presley, L.P.N., Member
Lynda Narwold, R.N., Member
Anne Ogle, Consumer Member

Board Members Absent:

Scott Johns, C.R.N.A., Member

State Officials Present:

Elizabeth Kiefner Crawford, Board Director, Indiana Professional Licensing Agency
Lori Grice, Assistant Board Director, Indiana Professional Licensing Agency
Linda Stephenson, Case Manager, Indiana Professional Licensing Agency
Gordon White, Nursing Board Advisory Counsel, Office of the Attorney General

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda as amended. McIntosh/Burghduff 8-0-0

III. ADOPTION OF THE MINUTES FROM THE JULY 21, 2011 MEETING OF THE BOARD

A motion was made and seconded to adopt the July 21, 2011 nursing board minutes with minor corrections. McIntosh/Laux 6-0-2 (Narwold and Ogle abstain)

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM

Chuck Lindquist and Ernie Klein appeared for the ISNAP. ISNAP has signed a contract for electronic case management system. Chuck distributed a copy of the use of controlled substances form for new RMA participants along with a letter for participants to give to their practitioners. Jimmy Ryser's benefit concert will be held on Sept 30th at St. Susannah's church gym in Plainfield to raise money for needs assistance fund. Intakes were slow in July but will likely double in August. Ernie Klein gave the annual report for the year for the ISNA and ISNAP. He gave handouts including a graphical representation of the participants over the last two years and a presentation of the financial report for that same two year period. With the new electronic system the goal is that participants can log in to read reports, newsletters, etc. but they will always have the option to call in. Providers will be able to file reports directly into the system and ISNAP staff will be able to scan in documents as well. The one year summary of the data also was presented. Terminations for non-compliance in the program are up. The data shows that most relapses take place in the first 18 months. Self reports in this data do not

include those referred by the Attorney General's Office. The data indicates that the percentage of men in the program is greater than the percentage licensed. There are a high number of nurses in the age 40-60 bracket. Opioids are still the number one drug of choice for ISNAP participants. Almost half of the nurses in the program are not currently working as nurses. Mr. Burghduff requested an accounting of the number of referrals in the Attorney General's Office from January 2010 to present. Ms. Ogle asked for the equation on how to calculate the total numbers of participants as the numbers are not depicted on the chart and Mr. Klein agreed to provide that information.

V. EDUCATION

A. FYI- Kaplan College Indianapolis

ADN Program- Request for Curriculum Change and Request for Accreditation Vote

The Board's minutes from April did not include their full accreditation vote and this fact needs to be reflected for accreditation.

Alice Farmer appeared for Kaplan College. Farmer has been there a little over a year. It appeared that the hours were too heavy for an LPN program. She looked at LPN programs in Indiana and surrounding states and NLNAC guidelines. They had duplicate content in many of their courses and needed to reorganize courses.

Board Action: A motion was made and seconded to accept the curriculum change. Narwold/Laux 7-0-0

B. FYI- Kaplan College Indianapolis will change from HESI to KTP as of November 10, 2011

Alice Farmer appeared for Kaplan College. Kaplan Test Prep is a division of Kaplan, Inc. and they are moving it into their own campuses and utilizing their own product. The Board asked if they have a comprehensive prep for the NCLEX which does give a predictability of passing the NCLEX and Farmer replied that they do. Students are given a one to one mentor if they are not successful in passing the NCLEX. This was an FYI item only and did not require a board vote.

C. FYI- Medtech College Fort Wayne- change of grading policy and course sequencing for PN and RN Programs

D. FYI-Medtech College Indianapolis- change of grading policy and course sequencing for PN and RN Programs

E. FYI- Quarterly Report for Ivy Tech Columbus

F. Western Governors University- Initial Accreditation Report for BSN Program

Representatives appeared for WGU Indiana. Ms. Narwold and Ms. Hall conducted the initial site visit on August 2, 2011. WGU requests to admit three cohorts of ten students each. The concerns of Narwold and Hall included an additional acute care pediatrics piece farther down in the curriculum but WGU has time to build that piece into the curriculum. Faculty appears to be qualified and most are licensed in the State of Indiana or pending licensure. The recommendation is for initial accreditation with follow up visit in one year.

Board Action: A motion was made and seconded for initial accreditation with a site visit in one year. Narwold/Burghduff 6-0-0

G. Chamberlain College- Initial Accreditation Report for BSN Program

Representatives appeared for Chamberlain College. Ms. McIntosh and Ms. Laux conducted the initial site visit on July 22, 2011. McIntosh was impressed with the facilities including a fully stocked simulation lab. Chamberlain has changed their admission criteria nationally to improve NCLEX scores. Overall concerns of the team were: clinical agency agreements expiring before students began; some clinical faculty expertise was questionable; clinical experts are not hired yet in the specialty areas; and national growth was also a concern as other campuses grew very rapidly.

The curriculum needs to include physics coursework and the capstone course did not include a clinical component.

Board Action: A motion was made and seconded for initial accreditation with a site visit in one year. McIntosh/Narwold 7-0-1 (Hall abstained)

VI. DISCUSSION

A. **Board member participation in the NCSBN Educational Subcommittee-** Board members were asked to submit their interest levels in participating in this subcommittee to Ms. Crawford.

B. **Sonja Farr 28093248A -- Motion to Consolidate Cause Numbers and Dismiss Respondent's Petition to Withdraw Probation**

Board Action: A motion was made and seconded to consolidate the cause numbers in this matter and dismiss the pending probation withdrawal petition. Burgduff/Laux 8-0-0

D. Discussion regarding proposed changes to 848 IAC 1-2-7

The Board discussed their current rule regarding accreditation by the Higher Learning Commission. A panel will be put in place regarding revising the Board's current education rules. The Board members involved with the panel are: Natalie Hall (Chair), Lynda Narwold, Karen Dolk and Jerry Burghduff.

VII. BOARD DIRECTOR REPORT

Ms. Crawford reported that the RN renewal window opened on 8/15/11 and will run through 10/31/11. Nearly 5,000 nurses have already renewed at this time. Personal appearances for renewals will take place on ALJ Day and any overrun will move to the full board meeting for that month until January 2012. The plaque and original artwork from the National Counsel of State Boards of Nursing Annual Conference held in Indianapolis, Indiana on August 3-5, 2011 was presented to the Board.

VIII. PERSONAL APPEARANCES

Personal appearances were conducted by Board members Laux and Presley on this date.

A. Appearances by Applicants for Licensure

1. Mallory Watson

Ms. Watson appeared before the BON regarding her application for RN licensure by examination. She has failed the test 5 times previously. The BON voted to deny her application and she may reapply with proof of 95% probability of passing NCLEX following the completion of a review course.

2. Stefan Coe

Mr. Coe did not appear before the BON as requested to explain the positive response on his application for licensure by examination. The BON voted to deny his application for licensure.

3. Ruth Weston

Ms. Weston appeared before the BON regarding her application for RN licensure by examination. She has failed the NCLEX 6 times previously and therefore the BON voted to deny her application. She may reapply with proof of 95% probability of passing upon completion of a review course.

4. Mallory Seeley

Ms. Seeley appeared before the BON due to positive response in which she reported being charged with neglect of a dependent because she and her child were staying in a home in which marijuana was found. She provided additional documentation showing she has completed all requirements as of April 2010. The BON voted to allow her to test and that her license be issued free and clear

5. Karina Koschmeder

Ms. Koschmeder appeared before the BON due to reporting a charge of underage possession of alcohol while in college. She reported no further incidents and the BON voted to allow her to test and her license be issued free and clear

6. Patrick Bryde

Mr. Bryde did not appear as requested for the personal appearance meeting to explain the positive response on his application by endorsement. The BON voted to deny his application.

7. Kiley Franklin

Ms. Franklin appeared before the BON regarding her licensure application for RN. She has failed the test 3 times since completing school in 2008. She reports working with a tutor at this time. The BON voted to deny her application and she may reapply with proof of 95% or higher probability of passing the NCLEX.

8. **Maritza Kulcsar**

Ms. Kulcsar appeared before the BON after reporting that in 2007 she collected unemployment benefits while still working. For this reason, NV denied her license application. Based on this, the IN BON denied her application.

9. **Erica Burch**

Ms. Burch requested that her PA be rescheduled and it will be set for Sept. 1. She has applied for RN licensure by examination and has failed the NCLEX five times since completing nursing school in 2003.

10. **Jennifer Miller**

Ms. Miller did not appear before the BON regarding her license application by endorsement; therefore, the BON voted to deny her application. She also did not appear at the personal appearance meeting in May 2011 as requested.

11. **Christine Fruit**

Ms. Fruit appeared before the BON regarding her application for RN licensure by examination. She has failed the NCLEX 6 times previously but has participated in a review course. She presented proof of 95% or higher probability of passing the test; therefore, the BON voted to approve her application to take the NCLEX.

12. **Kimberly Means**

Ms. Means appeared before the BON regarding her 2006 felony conviction for theft. She stated she worked at a hotel and let a man into rooms who stole 4 televisions. The matter was not resolved until 2009 when a warrant was issued for her. After debate, the BON voted to allow her to test and that her license is issued on probation for 2 years with quarterly employer reports.

13. **Dolly Gill**

Ms. Gill reported 2 terminations in 2007 and 2010 and an arrest in 2007 for domestic battery. Which occurred before nursing school. The BON voted to allow her to test and that she is issued a license on probation for 1 year with quarterly employer reports.

14. **Carrie Ricci**

Ms. Ricci requested that her PA be rescheduled for Sept. 1. She has attempted the NCLEX in 2005 and 2006 and failed since completing her nursing school program in 2004.

15. **Gia Hayes**

Ms. Hayes appeared before the BON regarding her RN application by endorsement. She reported a 1997 arrest for resisting arrest and in 2001 for battery charges. The BON voted to issue her license on probation for two years with quarterly reports or self reports if not employed.

16. **Cynthia Neiman**

Ms. Neiman appeared before the BON and reported 2 terminations in health settings while in nursing school due to attendance in 2009 and 2010. The BON voted to allow her to test and that she be issued a probationary license for 6 months with two quarterly reports from her employer

17. **Kimberly Johnson**

Ms. Johnson appeared before the BON regarding her LPN license application. She reported a termination in 2010 for an emotional outburst directed at another employee. She also reported a domestic battery charge in 2004 in CA that led to her arrest. The BON recommended that she complete an MMPI -II evaluation and report the results to the BON before a decision can be made.

18. **Elizabeth Morrison**

Ms. Morrison appeared before the BON regarding her application for licensure by examination. She reports treatment in 1996 and 1999 for alcohol abuse and a DUI in 1999. She stated her sobriety date is in 1999. The BON recommended that she have an ISNAP evaluation and sign an RMA if eligible. Upon completion of the ISNAP evaluation, her license will be issued free and clear.

19. **Amanda Engle**

Ms. Engle did not appear before the BON as requested. The BON voted to deny her application. She has failed the NCLEX 6 times previously.

20. **Susan Shepherd Smith**

Ms. Smith appeared before the BON regarding her RN license by endorsement application. She reported taking Ambien to sleep then realizing she had unwashed narcotics in her pocket. She attempted to return them and ended up in jail following an accident in her vehicle which she could not recall happening. She was terminated for not returning the medication because she was in jail. She stated she completed all terms of her arrest and her KY license was not disciplined. The BON recommend that she be issued a free and clear license

21. **Tationna Arnold**

Ms. Arnold did not appear as requested and the BON recommended that her application be denied. She had completed her nursing school program in 2007 and failed the test in 2008.

22. **Diana Revalee**

Ms. Revalee appeared before the BON regarding her RN licensure application following 4 previous failures on the NLCEX exam. The BON recommended that her application be denied and she may reapply with proof of 95% or higher probability of passing the NCLEX.

23. **Daniel Landeros**

Mr. Landeros appeared before the BON regarding his application for RN licensure by examination. He reported a DUI while in nursing school in 2008; his BAC was .08% and he has completed all requirements and the matter is resolved as of Feb. 2010. . The board voted to allow him to test and that his license be issued free and clear.

24. **Anne Frey**

Ms. Frey appeared as requested. She has been assessed by ISNAP and is entering into an RMA. She will be allowed to test and her license will be issued on probation for the length of her RMA with quarterly employer reports.

25. **Todd Shaw**

Mr. Shaw appeared before the BON and reported a DUI in July 2010 which he did not report on his 2010 LPN renewal as charges pending. The BON recommended he complete an ISNAP evaluation and enter into an RMA. He is on criminal probation until Oct. 2011 so his license will be issued on probation for the length of his criminal probation or the length of the RMA whichever is longer

Board Action: A motion was made and seconded to accept all recommendations for personal appearances on this date.
Burghduff/Narwold 8-0-0

IX. ADMINISTRATIVE HEARINGS

Note: Joyce Shinault was sworn in as the court reporter for all hearings conducted on this date.

A. In the Matter of the License of: Amy Caraway, R.N., License No. 28062103A

Administrative Cause No. 2011 NB 181

Re: Proposed Settlement Agreement

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Narwold, Dolk, Laux, Hall, Ogle

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/Ogle, 6-0-0 Motion carries.

B. In the Matter of the License of: Denise Hummel, R.N., 28163915A

Administrative Cause No. 2011 NB 023

Re: Final Disciplinary Hearing

CONTINUED

C. In the Matter of the License of: Derek Watson, R.N., License No. 28198248A

Administrative Cause No. 2011 NB 191

Re: Petitioner's Request for Review of Decision on License Application

Parties and Counsel Present:

Petitioner was present

Lorie Brown, Counsel for Petitioner

Witnesses Present:

Chuck Lindquist, Indiana State Nurses Assistance Program

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, Ogle, Presley

Case Summary and Board Action: The Petitioner appealed the Board's decision to deny the initial application for licensure and this hearing ensued. A motion was made and seconded to reissue the license free and clear.

Narwold/Burghduff, 7-0-1 Motion carries (Laux abstains, Hall recused)

D. In the Matter of the License of: Kelly Lynn Brown, R.N., 28127415A

Administrative Cause No. 2011 NB 125

Re: Final Disciplinary Hearing

CONTINUED

E. State of Indiana v Sherrie Kay (Hansen) Aman, R.N., License No. 28120482A

Administrative Cause No. 2005 NB 0005

Re: Request to Reinstate

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

Amber Finley, Graduate Legal Intern, on behalf of the State of Indiana

Witnesses Present:

Chuck Lindquist, ISNAP

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, McIntosh, Ogle, Presley

Case Summary and Board Action: Respondent's license was placed on indefinite probation in an order issued in August 2005 and amended to indefinite suspension in June 2006. Respondent requested a hearing on her request to withdraw probation, and following a hearing, a motion was made and seconded to deny her request for reinstatement and demonstrate six additional months of full compliance with ISNAP with no narcotics and completion of 24 hours of continuing education (6 hours each) in the areas of patient assessment, documentation, ethics and pharmacology.

Burghduff/Ogle, 7-0-1, motion carries (Laux abstains)

F. In the Matter of the License of: Teresa Wisher, R.N., License No. 28134759A

Administrative Cause No. 2011 NB 086

Re: Final Disciplinary Hearing

Proposed Settlement Agreement

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, McIntosh, Presley, Hall, Ogle

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Ogle/Hall, 7-0-1 Motion carries. (Narwold abstains)

G. In the Matter of the License of: Chris Marie Heitzman, R.N., License No. 28158327A

Administrative Cause No. 2011 NB 185

Re: Final Disciplinary Hearing

Proposed Settlement Agreement

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, Ogle, Hall

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/Laux, 6-0-0 Motion carries.

H. In the Matter of the License of: LaDeena Varner, L.P.N., License No. 27050203A

Administrative Cause No. 2010 NB 267

Re Request to Withdraw Probation

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

Amber Finley, Graduate Legal Intern, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, McIntosh, Narwold, Ogle, Presley

Case Summary and Board Action: Respondent's license was placed on indefinite probation in an order issued in March 2011. Respondent requested a hearing on her request to withdraw probation, and following a hearing, a motion was made and seconded to withdraw the probation.

Narwold/Ogle, 8-0-0 Motion carries

I. In the Matter of the License of: Rhonda Frances Reddy, R.N., License No. 28103722A

Administrative Cause No. 2003 NB 0109

Re: Request to Withdraw Probation

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, McIntosh, Narwold, Ogle, Presley

Case Summary and Board Action: Respondent's license was placed on indefinite probation in its order issued in September 2003 and modified in April 2010. Respondent requested a hearing on her request to withdraw probation, and following a hearing, a motion was made and seconded to deny her request to withdraw probation.

Burghduff/Laux, 8-0-0 Motion carries

J. State of Indiana v Bruce Callahan, R.N., License No. 28092739A

Administrative Cause No. 2001 NB 001 & 2006 NB 0070

Re: Request to Withdraw Probation

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana.

Witnesses Present:

Chuck Lindquist, Indiana State Nurses Assistance Program

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, Narwold, Ogle, Presley

Case Summary and Board Action: Respondent's license was placed on indefinite probation in its order issued in July 2001 and modified in July 2006. Respondent requested a hearing on his request to withdraw that probation, and following a hearing, a motion was made and seconded to withdraw the probation.

Ogle/Hall, 7-0-0 Motion carries

K. State of Indiana v Jannelle Kelley, L.P.N., License No. 27036589A

Administrative Cause No. 2002 NB 0115

Re: Request to Withdraw Probation

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, Narwold, Ogle, Presley

Case Summary and Board Action: Respondent's license was placed on indefinite probation in its order issued in July 2010. Respondent requested a hearing on her request to withdraw that probation, and following a hearing, a motion was made and seconded to withdraw the probation.

Burghduff/Ogle 7-0-0, Motion carries

L. In the Matter of the License of: Allison Magyar, R.N., License No. 28190295A

Administrative Cause No. 2010 NB 107

Re: Request to Withdraw Probation

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

Amber Finley, Graduate Certified Legal Intern, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Narwold, Ogle

Case Summary and Board Action: Respondent's license was placed on indefinite probation in its order issued in June 2010. Respondent requested a hearing on her request to withdraw probation, and following a hearing, a motion was made and seconded to withdraw the probation from her license.

Narwold/Ogle, 5-0-0 Motion carries

M. State of Indiana v Stephen Edward Morris R.N., License No. 28134771A

Administrative Cause No. 2003 NB 0112

Re: Request to Withdraw Probation

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana.

Witnesses Present:

Chuck Lindquist, Indiana State Nurses Assistance Program

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, Narwold, Ogle, Presley

Case Summary and Board Action: Respondent's license was placed on indefinite probation in an order issued in June 2004. Respondent requested a hearing on his request to withdraw probation, and following a hearing, a motion was made and seconded to withdraw the probation from his license.

Narwold/Ogle, 5-1-1, Motion carries (Burghduff against, Hall abstains)

N. In the Matter of the License of: Amanda Sanders, L.P.N., License No. 27057888A

CONTINUED

Administrative Cause No. 2011 NB 162

Re: Final Disciplinary Hearing

O. In the Matter of the License of: Cassandra Milligan, L.P.N., License No. 27055039A

Administrative Cause No. 2010 NB 226

Re: Request to Withdraw Probation

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, McIntosh, Narwold, Ogle, Presley

Case Summary and Board Action: Respondent's license was placed on indefinite probation. Respondent requested a hearing on her request to withdraw probation, and following a hearing, a motion was made and seconded to withdraw probation with the caveat that she must provide documentation that she is off of criminal probation.

Ogle/Dolk, 8-0-0 Motion carries

P. In the Matter of the License of: Joseph Abram Hurt, R.N., License No. 28177199A

Administrative Cause No. 2009 NB 233

Re: Request to Withdraw Probation

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana.

Witnesses Present:

Chuck Lindquist, Indiana State Nurses Assistance Program

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Narwold, Ogle

Case Summary and Board Action: Respondent's license was placed on indefinite probation in an order issued in June 2010. Respondent requested a hearing on his request to withdraw probation, and following a hearing, a motion was made and seconded to deny Petitioner's request to withdraw probation and modify it for indefinite probation with an additional six months of monitoring which includes quarterly employer supervisory reports.

Burghduff/Ogle, 5-0-0 Motion carries

Q. In the Matter of the License of: Lori Hanna, R.N., License No. 28140833A

Administrative Cause No. 2010 NB 008

Re: Order to Show Cause

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana.

Witnesses Present:

Chuck Lindquist, ISNAP

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, McIntosh, Hall, Ogle, Presley

Case Summary and Board Action: The Respondent failed to appear for an order to show cause in this matter. A motion was made and seconded to issue a notice of proposed default. Burghduff/Laux 8-0-0, motion carries.

The State then requested an emergency suspension of Ms. Hanna's license. A motion was made and seconded for emergency suspension. Burghduff/Laux, 8-0-0 Motion carries

R. In the Matter of the License of: Lynnetta Jenkins, R.N., License No. 28151398A

Administrative Cause No. 2010 NB 245

Re: Extension of Emergency Suspension

Parties and Counsel Present:

Laura Wilford, Deputy Attorney General, on behalf of the State of Indiana.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, Hall, Ogle

The final hearing in this matter was continued. The State requested an extension of the emergency suspension in this matter. A motion was made and seconded to extend the summary suspension an additional ninety days. Burghduff/Ogle 6-0-0

S. In the Matter of the License of: Errica Yowell, R.N., License No. 28175316A

Administrative Cause No. 2010 NB 104

Re: Request to Withdraw Probation

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, Narwold, Ogle, Presley

Case Summary and Board Action: Respondent's license was placed on indefinite probation in an order issued in June 2010. Respondent requested a hearing on her request to withdraw that probation, and following a hearing; a motion was made and seconded to withdraw probation upon receipt of the signed original order from her supervisor.

Burghduff/Laux, 7-0-0 Motion carries

T. In the Matter of the License of: Cynthia Smith, L.P.N., License No. 27064898A

Administrative Cause No. 2010 NB 084

Re: Request to Withdraw Probation

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana.

Witnesses Present:

Chuck Lindquist, Indiana State Nurses Assistance Program

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, McIntosh, Narwold, Ogle, Presley

Case Summary and Board Action: Respondent's license was placed on indefinite probation in an order issued in April 2010. Respondent requested a hearing on her request to withdraw probation, and following a hearing, a motion was made and seconded to withdraw the probation.

Burghduff/Laux, 8-0-0 Motion carries

U. State of Indiana v. Gilbert Lee Crawford, R.N., License No. 28124448A

Administrative Cause No. 2005 NB 0169

Re: Request to Reinstate

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Narwold, Ogle

Case Summary and Board Action: The Petitioner was placed on suspension by the Board in November 2005. Following a hearing, a motion was made and seconded to deny Petitioner's request to reinstate.

Burghduff/Narwold, 5-0-0 motion carries

V. In the Matter of the License of: Tracey Dilk, R.N., License No. 28160309A

Administrative Cause No. 2009 NB 229

Re: Request to Withdraw Probation

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, Narwold, Ogle, Presley

Case Summary and Board Action: Respondent's license was placed on indefinite probation in an order issued in December 2009 and modified in July 2011. Respondent requested a hearing on his request to withdraw that probation, and following a hearing, a motion was made and seconded to withdraw probation.

Burghduff/Laux, 7-0-0 Motion carries

W. In the Matter of the License of: Lawrence Robinson, L.P.N., License No. 27065331A

Administrative Cause No. 2010 NB 139

Re: Request to Withdraw Probation

Parties and Counsel Present:

Petitioner was present.

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana.

Witnesses Present:

Chuck Lindquist, Indiana State Nurses Assistance Program

Robert Armstrong, Witness for Petitioner.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, Narwold, Ogle, Presley

Case Summary and Board Action: Respondent's license was placed on indefinite probation in an order issued in July 2010. Respondent requested a hearing to withdraw probation, and following a hearing, a motion was made and seconded to withdraw the probation.

Narwold/Burghduff, 5-1-1, Motion carries (Ogle abstained, Laux against)

X. In the Matter of the License of: Pamela Hicks, R.N., License No. 28150654A

Administrative Cause No. 2010 NB 138

Re: Order to Show Cause

Parties and Counsel Present:

Pamela Hicks, Petitioner
David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana
Joshua Timmons, Certified Legal Intern, on behalf of the State of Indiana

Witnesses Present:

Chuck Lindquist, ISNAP
Judith Vlosic, Witness for Petitioner

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Narwold, Ogle

Case Summary and Board Action: The Respondent appeared for an order to show cause in this matter. After a hearing, a motion was made and seconded to place the Petitioner's license on indefinite suspension. Petitioner must demonstrate six months of full compliance with an ISNAP RMA.

Burghduff/Ogle, 4-1-2, Motion fails on one year of compliance with ISNAP Recovery Monitoring Agreement

Narwold/Ogle, 5-0-0, Motion carries on six months of compliance with ISNAP Recovery Monitoring Agreement

Y. In the Matter of the License of: Sharon Reynolds, R.N., License No. 28121611A

CONTINUED

Administrative Cause No. 2010 NB 003

Re: Order to Show Cause

This matter will be continued until September 15, 2011 at the licensee's request.

Z. In the Matter of the License of: Amy Brandle, R.N., License No. 28196959A

Administrative Cause No. 2011 NB 160

Re: Appeal on License Application

Parties and Counsel Present:

Petitioner was present and waived the right to counsel.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, McIntosh, Narwold, Ogle, Presley

Case Summary and Board Action: The Petitioner appealed the Board's decision to place her RN license on probation at the time of initial application. After a hearing, a motion was made and seconded to deny her appeal.

Ogle/Burghduff, 6-2-0 Motion carries (Dolk and Narwold against)

AA. In the Matter of the License of: Genevieve York, L.P.N., License No. 27043480A

Administrative Cause No. 2011 NB 077

Re: Notice of Proposed Dismissal

Parties and Counsel Present: None.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, Narwold, Ogle

Board Action: The Board reviewed a response from the Licensee dated July 28, 2011. **Board Action:** A motion was made and seconded to dismiss the cause of action. Burghduff/Ogle 6-0-0

BB. In the Matter of the License of: Teri Diehl, L.P.N., License No. 27027832A

Administrative Cause No. 1998 NB 064

Re: Notice of Proposed Dismissal

Parties and Counsel Present: None.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, Narwold, Ogle

Board Action: The Board reviewed a response from the Licensee dated July 28, 2011. **Board Action:** A motion was made and seconded to dismiss the cause of action. Burghduff/Dolk 6-0-0

CC. In the Matter of the License of: Stormie Evans, L.P.N., License No. 27038629A

Administrative Cause No. 98 NB 084

Re: Notice of Proposed Dismissal

Parties and Counsel Present: None.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, Narwold, Ogle

Board Action: The Board reviewed a response from the Licensee dated July 28, 2011. Board Action: A motion was made and seconded to dismiss the cause of action. Burghduff/Dolk 6-0-0

DD. In the Matter of the License of: Lanette Stout-Ade, R.N., License No. 28138610A

Administrative Cause No. 2011 NB 073

Re: Final Disciplinary Hearing

Proposed Settlement Agreement

Parties and Counsel Present:

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, Ogle, Hall

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/Laux, 5-0-1 Motion carries. (Narwold abstains)

EE. In the Matter of the License Application of: Rosalynn Anderson

Administrative Cause No. 2011 NB 251

Re: Petitioner's Request for Review of Decision on License Application

Requests Continuance

The applicant requested that this matter be continued until September 2011. A motion was made and seconded to grant the continuance. Narwold/Burghduff 6-0-0

FF. In the Matter of the License of: Julie Lewis, R.N., License No. 28144643A

Administrative Cause 2011 NB 096

Re: Final Disciplinary Hearing

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, Ogle, Hall

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Dolk/Ogle, 5-0-1 Motion carries. (Burghduff abstains)

GG. In the Matter of the License of: Timothy Elsworth, R.N., License No. 28116874A

Administrative Cause No. 2010 NB 158

Re: Final Disciplinary Hearing

CONTINUED

HH. In the Matter of the License of: Ardith Volk, L.P.N., License No. 27016674A

Administrative Cause No. 2011 NB 123

Re: Final Disciplinary Hearing

CONTINUED

II. In the Matter of the License of: Phyllis Riggs, L.P.N., License No. 27031472A

Administrative Cause No. 2011 NB 154

Re: Petitioner's Request to Appeal Decision on License Renewal Application

Parties and Counsel Present:

Petitioner was present and waived the right to counsel.

Witnesses Present:

Rhonda Brown, Witness for the Petitioner.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Hall, Laux, McIntosh, Narwold, Ogle, Presley

Case Summary and Board Action: The Petitioner appealed the Board's decision to place her LPN license on probation at the time of renewal. After a hearing, a motion was made and seconded to grant her request and remove the probationary status from her license.

Burghduff/Hall, 6-1-1 Motion carries (Laux against, McIntosh abstains)

JJ. In the Matter of the License of: Karen Smolenski, R.N., License No. 28184306A

Administrative Cause No. 2011 NB 174

Re: Proposed Settlement Agreement

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Laux, Dolk, Narwold, Ogle, Hall

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/Narwold, 6-0-0 Motion carries.

KK. In the Matter of the License of Lestine Rolle, L.P.N., License No. 27047710A

Administrative Cause No. 2011 NB 171

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, Hall, Ogle

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to table this settlement agreement until next month. Burghduff/Ogle Motion carries. 6-0-0

LL. In the Matter of the License of: Rhonda Rubenstein, R.N., License No. 28107959A

Administrative Cause No. 2011 NB 166

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, McIntosh, Presley, Hall, Ogle

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to the accept settlement agreement. Burghduff/Narwold, Motion fails. A motion was then made and seconded to reject the proposed settlement agreement. Laux/Ogle 7-1-0 (Burghduff against)

MM. In the Matter of the License of: John Campbell, R.N., License No. 28141025A

Administrative Cause No. 2011 NB 177

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, McIntosh, Presley, Ogle, Hall

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

McIntosh/Ogle, 7-0-1 Motion carries. (Burghduff abstains)

NN. In the Matter of the License of: Sharon Ward, R.N., License No. 28170898A

Administrative Cause No. 2011 NB 188

Re: Final Disciplinary Hearing

CONTINUED

OO. In the Matter of the License of: Tammy Walker, L.P.N., License No. 27051464A

Administrative Cause No. 2011 NB 091

Re: Final Disciplinary Hearing

CONTINUED

PP. In the Matter of the License of: Cynthia Peskoe, R.N., License No. 28080800A

Administrative Cause No. 2011 NB 085

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, McIntosh, Presley, Hall, Ogle

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Laux/Burghduff, 6-2-0 (McIntosh and Ogle against) Motion carries.

QQ. In the Matter of the License of: Holly Azbill, R.N., License No. 28160962A

Administrative Cause No. 2011 NB 012

Re: Final Disciplinary Hearing

Proposed Settlement Agreement

Parties and Counsel Present:

Laura Wilford, Deputy Attorney General, on behalf of the State of Indiana

Petitioner was present.

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, McIntosh, Presley, Hall, Ogle

Board Action:

A motion was made and seconded to reject the proposed settlement agreement in this matter. Burghduff/McIntosh 7-0-1, motion carries. (Narwold abstains)

RR. In the Matter of the License of: Julie Jill Hall, L.P.N., License No. 27051555A

Administrative Cause No. 2011 NB 092

Re: Final Disciplinary Hearing

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, McIntosh, Presley, Hall, Ogle

Board Action:

The State requested and a motion was made and seconded to issue a notice of proposed default in this matter. Burghduff/McIntosh 8-0-0, motion carries

SS. In the Matter of the License of: Therese Auler, R.N., License No. 28109433A

Administrative Cause No. 2011 NB 195

Re: Proposed Settlement Agreement

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Narwold, Laux, Presley, Hall, Ogle, McIntosh

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement.

Burghduff/Narwold, Motion carries. 7-0-1 (McIntosh abstains)

TT. In the Matter of the License of: Sam O'Gonuwe, R.N., License No. 28162580A

Administrative Cause No. 2011 NB 187

Re: Proposed Settlement Agreement

Parties and Counsel Present:

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, Hall, Ogle

Board Action:

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to reject the settlement agreement.
Burghduff/Ogle, 6-0-2 Motion carries. (McIntosh and Presley abstain)

X. PREHEARING SETTLEMENT CONFERENCES

- A. In the Matter of the License of: Vernita Hatcher, L.P.N., License No. 27039796A**
Administrative Cause No. 2011 NB 217
Re: Prehearing Settlement Conference

- B. In the Matter of the License of: Nancy Pfanmoeller, R.N., License No. 28115021A**
Administrative Cause No. 2011 NB 219
Re: Prehearing Settlement Conference
Response Received
Respondent's Counsel Requests Continuance

- C. In the Matter of the License of: Dawn Wright, L.P.N., License No. 27057500A**
Administrative Cause No. 2011 NB 218
Re: Prehearing Settlement Conference

- D. In the Matter of the License of: Jennifer Herr, L.P.N., License No. 27052984A**
Administrative Cause No. 2011 NB 225
Re: Prehearing Settlement Conference

- E. In the Matter of the License of: David Figgins, R.N., License No. 28161954A**
Administrative Cause No. 2011 NB 214
Re: Prehearing Settlement Conference

Parties and Counsel Present:

Laura Wilford, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, McIntosh, Presley, Hall, Ogle

Board Action:

The State requested and a motion was made and seconded to issue a notice of proposed default in this matter.
Burghduff/McIntosh 8-0-0, motion carries

- F. In the Matter of the License of: Bonita Edgeworth, R.N., License No. 28188020A** **Continued**
Administrative Cause No. 2011 NB 216
Re: Prehearing Settlement Conference

- G. In the Matter of the License of: Allison Colbert, R.N., License No. 28156261A**
Administrative Cause No. 2011 NB 168
Re: Prehearing Settlement Conference

- H. In the Matter of the License of: Martha York, R.N., License No. 28069794A** **CONTINUED**
Administrative Cause No. 2011 NB 169
Re: Prehearing Settlement Conference

- I. In the Matter of the License of: Christina Bakle, R.N., License No. 28145936A**
Administrative Cause No. 2011 NB 081
Re: Prehearing Settlement Conference

- J. In the Matter of the License of: Suzanna Kleifgen, L.P.N., License No. 27027965A**
Administrative Cause No. 2011 NB 228
Re: Prehearing Settlement Conference
Proposed Settlement Agreement

Parties and Counsel Present:

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, McIntosh, Presley, Hall, Ogle

Board Action:

The State presented a settlement agreement in this matter that would place various restrictions on the Respondent. A motion was made and seconded to accept the settlement agreement. Burghduff/McIntosh 8-0-0, motion carries

K. In the Matter of the License of: Frederick Nicoulin, License No. 28149506A

Administrative Cause No. 2011 NB 006

Re: Prehearing Settlement Conference

L. In the Matter of the License of: Tammey Sipes, R.N., License No. 28143825A

Administrative Cause No. 2011 NB 052

Re: Prehearing Settlement Conference

Parties and Counsel Present:

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, McIntosh, Presley, Hall, Ogle

Board Action:

The State presented a settlement agreement in this matter that would place various restrictions on the Respondent. A motion was made and seconded to accept the settlement agreement. Ogle/Presley 6-0-2, motion carries (Burghduff and McIntosh abstain)

M. In the Matter of the License of: Thomas Schultheis, R.N., License No. 28127628A

Administrative Cause No. 2011 NB 212

Re: Prehearing Settlement Conference

Amended Complaint Filed 8/15/11

N. In the Matter of the License of: Annabelle Fellows, R.N., License No. 28127988A

Administrative Cause No. 2011 NB 213

Re: Prehearing Settlement Conference

Parties and Counsel Present:

Jessica Joshua, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, McIntosh, Presley, Hall, Ogle

Board Action:

The State requested and a motion was made and seconded to issue a notice of proposed default in this matter. Burghduff/McIntosh 8-0-0, motion carries

O. In the Matter of the License of: Cathy Baughman, L.P.N., License No. 27056808A

Administrative Cause No. 2011 NB 229

Re: Prehearing Settlement Conference

Parties and Counsel Present:

Jessica Joshua, Deputy Attorney General, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, Laux, Narwold, McIntosh, Presley, Hall, Ogle

Board Action:

The State requested and a motion was made and seconded to issue a notice of proposed default in this matter. Burghduff/McIntosh 8-0-0, motion carries

P. In the Matter of the License of: Katherine Lenhardt, R.N., License No. 28162810A

Administrative Cause No. 2011 NB 230

Re: Prehearing Settlement Conference

Q. In the Matter of the License of: Kathryn Covey, L.P.N., License No. 27013505A