

INDIANA STATE BOARD OF NURSING

Met on  
Thursday, December 15, 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  
Karen Dolk, R.N., Member  
Natalie Hall, R.N., Member  
Marcia Laux, R.N., Member  
Lynda Narwold, R.N., Member  
Holly Presley, L.P.N., Member  
Anne Ogle, Consumer Member

**Board Member(s) 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  
Joyce Krawczyk, Compliance Liaison, 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. Narwold/Burghduff, 8-0-0, motion carries

III. ADOPTION OF THE MINUTES FROM THE NOVEMBER 17, 2011 MEETING OF THE BOARD

A motion was made and seconded to adopt the November 17, 2011 nursing board minutes. Burghduff/Dolk, 7-0-1, motion carries (Ogle abstains)

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM

Chuck Lindquist addressed the Board and the audience. ISNAP completed 39 intakes and 15 closures from intake in the month of November. The Board received a copy of ISNAP's third quarter statistics which included a breakdown of the ISNAP compliance decision tree. ISNAP provided several articles including one on Suboxone use which cited a 90% relapse rate for opiate addicts who are prescribed Suboxone.

V. EDUCATION

- A. **Indiana Dabney University- Plan of Correction**  
Pass Rates: 2008-40%, 2009-43.48% 2010-42.9%  
Standard Deviation: 2008-86.1%, 2009-87.8%, 2010-86.8%

Representatives appeared on behalf of Indiana Dabney University ("IDU"). In the fourth quarter of 2011, IDU has a cohort that has participated in all improvements. IDU has incorporated additional recommendations from the Board and faculty in their improvements. IDU is working towards NCLEX scores in the 90<sup>th</sup> percentile by adding improvements so that next year they will have improved scores. IDU has implemented an evaluation process for nursing staff and faculty. The cohort that recently graduated was 12 students. IDU currently has 61 students in their pipeline. IDU's next graduating class will be in the summer of 2012. IDU's goal is to have a 15% or higher increase in pass rate. The Board expressed confusion regarding the differentiations in the grading scale reflected in the report provided to the Board.

**Board Action:** A motion was made and seconded to approve the plan of correction. Narwold/McIntosh 8-0-0, motion carries

**B. Breckinridge School of Nursing/Merrillville (formerly ITT Tech) Site Visit Report (Narwold/Dolk)**

Jennifer Philbin appeared on behalf of Breckinridge School of Nursing Merrillville. Ms. Dolk and Ms. Narwold discussed the site visit. The site visitors were impressed with documentation and systematic evaluation plan in place for the NLNAC visit and NCLEX. Students had a favorable opinion of the school. Concerns from the site visitors were that the faculty cubicles were too small and too crowded and that grading policies and procedures need to be reviewed. The recommendation is continued initial accreditation until the fall of 2012. Ms. Laux expressed a concern about reviewing records. The staff visitors were unable to complete the process during the site visit. The Board expressed concerns about whether students understand that the courses do not transfer as no articulation agreements are in place. Ms. Philbin noted that this was not in the student handbook but was told to students. Ms. Ogle expressed concern about the Board dictating space requirements and a discussion was held about confidentiality and healthy professional growth and environment. The annual report was not reviewed but the faculty handbooks and student handbooks were reviewed by the site visitors.

**Board Action: A motion was made and seconded for the annual report to be reviewed and the recommendation for continued initial accreditation was approved. A site visit will be scheduled for fall 2012. McIntosh/Laux 8-0-0, motion carries**

**C. MJS School of Nursing ASN Program Site Visit Report (Narwold/Dolk)**

Annette Murray appeared on behalf of MJS. Ms. Narwold reported a correction to the report that Ms. Murray is MSN prepared. The campus currently has 4 students that will graduate in March. The site visitors expressed concerns that there are several general education faculty members that have no documentation that a foreign degree transferred in as an equivalent masters degree. Students are very diverse and are very enthusiastic about the program. The students are completing Kaplan review. The policies in place are good but the lack of resources is a concern. Students do not have access to CINAL. They have clinical facilities and staff who are very pleased with their students. The recommendation is continued initial accreditation. The cohort is scheduled to graduate in March 2012. They need to build up their resources in order to obtain NLNAC accreditation. They also made a change in their business plan without the Board's knowledge. Ms. Laux indicated that the students must have access to basic resources including CINAL. Ms. Laux expressed concern about matriculation to other programs as their credits will not transfer as no articulation agreements are in place. They have 12 students scheduled to begin in the next cohort. Ms. McIntosh directed the Board to 848 IAC 1-2-20.

**Board Action: A motion was made and seconded for the resources to be reevaluated and the general education faculty qualifications to be reviewed prior to the admission of the next nursing class. The Board would also like to see the passing scores for the March cohort on the NCLEX. Narwold/Laux 8-0-0**

**D. Brown Mackie Merrillville PN Program Site Visit Report (Narwold/Dolk)**

Representatives appeared on behalf of Brown Mackie Merrillville. Ms. Narwold reported about the site visit. The site visit was conducted to reevaluate the corrective action plan in place. Their pass rates have improved since last year. They have implemented several programs to increase pass rates. They have contracted with Exam Force to purchase 100 licenses (May 2011) and an additional 150 licenses since that time. They have encouraged students to utilize a program called "Cram Master" to aid in their NCLEX study. They have added a tutorial to increase usage in the live review. The Board asked a question as to why the NCLEX pass rate decreased in the second and third quarters of 2011. In 2012 they will be introducing team based learning into the campus. Admission criteria were changed in July 2010 from open enrollment to successful passage of Compass and TEAS to enroll in the program. The recommendation is to continue conditional accreditation. Ms. Hall indicated that the program has not met the pass rate for six years and they have been on conditional accreditation for a year. Ms. Ogle would like to see the original corrective action plan and a self evaluation with next steps. Ms. Laux expressed a concern regarding their clinical sites and student drug screens. Representatives from Brown Mackie indicated they have had difficulty obtaining sites for pediatrics, ob and acute care. Brown Mackie representatives passed out a handout of current clinical sites. Brown Mackie indicated they are now doing drug screens through a third party vendor. Ms. Laux expressed concerns that they still do not have adequate clinical sites as the only new site they have provided is a school system. Ms. Laux asked about long term care and staff is currently sending students to 7 sites for long term care. Mr. Burghduff asked when they expect the pass rate to enter the 80<sup>th</sup> percentile and stay there. The staff indicated their next graduating cohort is December 2012. Brown Mackie representatives indicated that they anticipate an 80% with their next cohort. Ms. Hall expressed a concern that since 2006 their pass rates have been poor and they have known since 2006 that something in their program is not working. Ms. Narwold has visited the campus once since they have been on conditional accreditation. There are 13 students in the December 2012 cohort and they are admitting 15 students per quarter.

**Board Action: A motion was made and seconded to bring the program back after completion of the December 2011 cohort and evaluate these test scores. If there is no improvement, it is likely that accreditation for the program will be withdrawn. The December 2011 cohort's NCLEX pass rate must meet the national standard. The Board will reevaluate the program in June 2012. The program will not be allowed to admit new students at this time. Laux/Ogle 7-1-0 (Narwold against)**

**E. ITT-Tech/Breckinridge School of Nursing – Indianapolis Campus re: NLNAC Denial**

Representatives from the Breckinridge School of Nursing-Indianapolis appeared. The school has a survey completed in February 2011. The school had changes in faculty and administration within months of the NLNAC visit and the school could not provide some of the evidence requested. They have hired a consultant to meet those standards. Ms. Hall asked where they are at in the process now. Representatives indicated they have addressed all recommendations including a student liaison committee and student involvement in faculty meetings. They have to do another self study and are working with their NLNAC mentor. They hope to have their study complete and an additional visit by NLNAC in 2012. Students are aware that they are graduating without NLNAC accreditation. Representatives indicated they have an RN to BSN program and 2 articulation agreements with Kaplan University and Grand Canyon University in Arizona. Ms. Hall asked about clinical sites without NLNAC accreditation. Representatives are utilizing a few hospitals, observational experiences and long term care. For peds they use Especially Kidz, well child clinics and summer camps. For ob they utilize Decatur County Hospital. Their last graduating cohort was 32 students. They admit 30 students per quarter. They have 220 students per quarter at this time.

**Board Action: A motion was made and seconded to conduct a site visit and that they put a self improvement plan into place. Hall/Laux 8-0-0**

**F. FYI Only- Effective 12/1/11 Tennyson Mgutshini resigned as chair of Department of Baccalaureate Nursing Completion; Esther Acree named Acting Chairperson of LPN/LVN to BS nursing track at Indiana State University**

**G. FYI Only- Effective 12/5/11 Katelyn Carmichael resigned as Director of the Marion Community School of Practical Nursing; Amanda Leffler named Director.**

## VI. DISCUSSION

### A. IPNA Scholarship Presentation

Annette Fisher appeared on behalf of the Indiana Practical Nurses Association. The scholarship winners were announced after an essay and letters of recommendation were approved by the IPNA. The first recipients were Jessica Flynn from Vincennes University, Angela Greenwell from Medtech College (Greenwood) and Amy Young from Ivy Tech-Terre Haute.

B. The Board requested a true reflection of the aging of cases from the Office of the Attorney General. Mr. Burghduff indicated that the facts in some cases set for this meeting go back as late as the 1990's. Mr. White indicated that the charts that have been provided may not provide an accurate representation of all cases. Mr. Burghduff made a request for an updated report to DAG Jason Gross who indicated that he would pass this information on to his director, Gabrielle Owens.

### C. BOARD DIRECTOR REPORT

Ms. Crawford reported on the hiring of a compliance director (Lori Grice), a compliance liaison (Joyce Krawczyk) and an assistant board director to replace Ms. Grice (Linda Stephenson). A request has been made to eliminate the CGFNS requirement by the Philippine Nurse Association. The Board heard a presentation on this in 2008. Ms. Crawford suggested inviting them to the Board in February 2012 for a new presentation as both staff and Board members have changed since that time and the Board agreed. A reminder was made for all Board members to make arrangements to attend the full Board meeting in Muncie on January 19, 2012. Ms. Crawford commended the work of the Office of the Attorney General in working with Board staff to shorten the amount of time between ISNAP closure and Board action. The Board was apprised of the amount of new administrative complaints filed in the last 2 ½ months. Approximately 160 complaints have been filed during this time period and the Board staff is now scheduling hearings for March 2012.

## VIII. PERSONAL APPEARANCES

8:45 a.m.

**Board Action: A motion was made and seconded to approve the Administrative Law Judge recommendations from 12/15/11. Dolk/Burghduff. 7-0-1 (Laux abstains)**

### A. Appearances by Applicants for Licensure

1. Lynedra Howard Examination positive response

Ms. Howard appeared regarding her application for licensure by examination. She answered yes to a question and had a history on her criminal background check regarding an arrest for theft. She states she has had no further incidents since 1998. She presented letters of support and has been working at a hospital for three years. The ALJ recommended that she be allowed to test and be issued a probationary license for 6 months with 2 quarterly supervisor reports.

2. Kaley Brennen Examination positive response

Ms. Brennen appeared regarding her application for licensure by examination. She answered yes to the question regarding treatment for drug and alcohol abuse. She explained that she has 2 arrests for possession of marijuana that belonged to a passenger when she was stopped during a traffic violation. She stated she was not convicted but had to complete some classes. The ALJ recommended that she be allowed to test and that her license be issued free and clear.

3. Brandy Stinson                      Endorsement RN/APN/CSR                      positive response  
Ms. Stinson appeared regarding her application for licensure by endorsement along with an application for APN/CSR. She reported her KY license was disciplined for giving Lortab to a physician at his request. She had the prescription for the medication. When confronted, she initially lied about the situation. She was required to complete CEs and pay a fine. This happened in 2003. She is licensed in several states and some of those licenses have been disciplined as a result of the KY board order. She was a travel nurse but could not meet the stipulations of some of those licensure requirements. She is seeking a stationary position. She stated she is taking medication for sleep and for pain. The ALJ recommended that her license be issued free and clear.

4. Dawn Rigsby                      Examination                      positive response  
Ms. Rigsby appeared regarding her application for licensure by examination. She reported a theft of \$150 in cash from Wal-Mart while working as a seasonal cashier in 2004. She violated her probation by not completing a class in a timely manner. She also reported an arrest in 2007 for traffic violations but stated someone else had taken her driver's license and personal identification. The ALJ recommended her license be issued free and clear.

5. Mark Till                      Examination                      positive response  
Mr. Till appeared regarding his application for licensure by examination. He reported 2 DUIs in 1996 and 2001. His BAC was .15. He is retired from the military after 25 years. He reports his date of sobriety is 3/5/03 and states he no longer participates in AA. He is working as a PCA in a hospital. The ALJ recommended that he be allowed to test and that his license be issued free and clear.

6. Kelly Sparks                      Endorsement                      positive response  
Ms. Sparks appeared regarding her application for licensure by endorsement. She reported a fraud charge in TN for obtaining prescription drugs by providing a physician's DEA number to someone who attempted to get the drugs. She reported being arrested in 2011 for the warrant issued in 2009. She states she is on criminal probation for that incident. The ALJ recommended that her application be denied.

7. Sara Davis                      Examination                      graduated in 2007  
Ms. Davis appeared regarding her application for licensure by examination. She has failed the NCLEX twice since finishing school in 2003. She tested and failed in 2003 and 2004. The ALJ recommended that she complete a review course and provide proof of 95% probability of passing; upon this proof, she will be allowed to test.

**B. Appearances by Applicants for Renewal**

1. Peggy Gregory                      28113553A                      positive response **CONTINUED**

2. Margaret Uebelhoer                      28105421A                      positive response (Laux abstains)  
Ms. Uebelhoer appeared with counsel regarding the positive response on her renewal application for RN licensure. Her license expired 10/31/11 and she applied to renew it on 11/16/11. She reported an arrest for public intoxication after being accused of stealing a cell phone and completed a diversion program in Jan. 2011. She also reported a malpractice suit from 2005 has been settled. She reported another malpractice suit is pending over the same incident. She is a nurse anesthetist and stated the malpractice allegation occurred due to the hospital's inadequate equipment. She stated she no longer works for that employer and has been with the same employer since 2006. She requested that her license be made Valid to Practice. The ALJ recommended that the matter be referred to the AG's office for investigation. Ms. Uebelhoer and her counsel met with the full board to further explain the circumstances of her expired renewal. The BON voted to deny her renewal and refer the matter to the AG's office for investigation. A motion was made to refer to the OAG and allow to renew as valid to practice. Burghduff/Narwold (4-3-1, motion fails). A motion was made and seconded to refer the matter to the Office of the Attorney General and deny her renewal. (Ogle/Hall, 5-2-1 (McIntosh/Burghduff, against , Laux abstains), motion carries

3. Theresa Burke                      27016782A                      license expired 1986  
Ms. Burke appeared regarding renewal of her RN license that expired in 1986. She appeared with her husband who is also her counsel. She stated she wants an active IN license so she can return to school in IL. She has not had an active nursing license since 1998. The ALJ recommended that her license be renewed on probation so she can return to school. She may petition for the probation to be lifted when she is ready to do the clinical component of her training.

4. Maryann Hire                      28096976A                      worked on expired license  
Ms. Hire appeared before the ALJ regarding renewal of her RN license. She stated that she discovered on 12/2/11 that her license expired 10/31/11. She has not worked since as a school nurse and appeared with the superintendent of her school. She stated she did not receive email or mailed reminders to renew. She stated she is on administrative leave pending the outcome. The ALJ recommended that her license be renewed.

5. Ann Langager (Sikorski) 28145481A positive response  
Ms. Langager Sikorski was to appear regarding the positive response on her RN renewal. She also had a prehearing settlement agreement earlier in the date and that matter will go forward.

6. Susan Batten 28104341A positive response (set for 1:30 p.m.)  
Respondent appeared in person. Ms. Batten appeared regarding her application for renewal. Ms. Batten's license was suspended by the Board and she filed for judicial review. A stay of the suspension was issued by the trial court. Ms. Batten indicated that she has been compliant with ISNAP and Chuck Lindquist indicated that her UDS in November and December 2011 were negative. These drug screens were not tested for Lyrica. Batten indicated that she has been taking Lyrica. The matter was continued at this point for additional information from ISNAP. Mr. Lindquist indicated she is fully compliant with monthly reports, AA logs and UDS but ISNAP does not screen for Lyrica. Dr. Kelly does not indicate she was taking Lyrica. In monthly reports going back to June there was no indication she was taking Lyrica. In last 12 months Ms. Batten has had 6 prescriptions for Lyrica with the latest in October. There were no other scheduled drugs on the INSPECT. Ms. Batten indicates she was on short term disability until November 21, 2011. Board members participating: Burghduff, Presley, Hall Dolk, Ogle, Laux, McIntosh. Board Action: A motion was made and seconded to deny the renewal. Ogle/Presley, 6-1-0 (Burghduff against)

7. Rob Shipley positive response  
Mr. Shipley appeared with counsel regarding the positive response on his RN renewal application. He reported an arrest for DUI in 2009 due to prescription medication he was taking. He stated he had transported a patient then hit a curb after which he was pulled over. He feels he was over-medicated for anxiety and had been tired from working long hours. He stated it happened in IL and as a result, he stopped taking all medication. He provided documentation from his physician that he is safe to practice. The ALJ recommended that his license be renewed

#### IX. ADMINISTRATIVE HEARINGS

The court reporter for all hearings on this date was Joyce Shinault from Accustar Reporting.

**A. In the Matter of the License of: Peggy Jo Gregory, R.N., License No. 28113553A**

Administrative Cause No. 2011 NB 122  
Re: Order to Show Cause  
Petition for Voluntary Extension of Summary Suspension

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**Board Action:**

The parties filed an agreement for extension of the summary suspension in this matter. A motion was made and seconded to approve the agreement. Burghduff/Ogle, 7-0-0, motion carries

**B. In the Matter of the License of: Joan Dyben, L.P.N., License No. 27040050A**

Administrative Cause No. 2008 NB 0209  
Re: Order to Show Cause

**Parties and Counsel 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, McIntosh, Ogle, Narwold

**Board Action:**

Ms. Dyben requested a continuance of the matter on December 13, 2011 due to financial difficulty in traveling to Indianapolis. A motion was made and seconded to grant this request. Burghduff/Dolk, 5-0-0, motion carries. Ms. Gibson then requested a summary suspension in this matter. After a hearing, a motion was made and seconded to issue a summary suspension in this matter. Burghduff/Ogle, 5-0-1, motion carries (Narwold abstains)

**C. In the Matter of the License of: Lori Gough, R.N., License No. 28107046A**

Administrative Cause No. 2010 NB 005  
Re: Order to Show Cause

**VACATED**

**D. State of Indiana v. Yvonne Priest, R.N., License No. 28090455A**

Administrative Cause No. 2010 NB 302  
Re: Order to Show Cause

**Parties and Counsel Present:**

David Fleischhacker, 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, McIntosh, Ogle, Laux, Presley

**Board Action:**

A notice of proposed default was requested in this matter. A motion was made and seconded to issue a notice of proposed default. Burghduff/Ogle, 7-0-0, motion carries

Petitioner then requested a summary suspension. After a hearing, a motion was made and seconded to grant the summary suspension in this matter. Burghduff/Ogle, 7-0-0, motion carries

**E. In the Matter of the License of: Elizabeth Roach, R.N., License No. 28119645A**

Administrative Cause No. 2011 NB 408

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), Hall, Dolk, Ogle, McIntosh, Narwold, Laux, Presley

**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 as written.

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

**F. In the Matter of the License of: Sonya Roberts, L.P.N., License No. 27047961A**

Administrative Cause No. 2011 NB 433

Re: Final Disciplinary Hearing

**CONTINUED**

**G. In the Matter of the License of: Ashley Carroll, L.P.N., License No. 27062947A**

Administrative Cause No. 2011 NB 434

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**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 as written. Burghduff/Ogle, 5-0-1, motion carries (Narwold abstains)

**H. In the Matter of the License of: Michelle Rife, L.P.N., License No. 27054037A**

Administrative Cause No. 2011 NB 435

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**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 as written. Burghduff/McIntosh, 5-0-1, motion carries (Narwold abstains)

**I. In the Matter of the License of: Danielle Earl, L.P.N., License No. 27053259A**

Administrative Cause No. 2011 NB 348

Re: Final Disciplinary Hearing

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**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 as written. Burghduff/Ogle, 7-0-1, motion carries (Narwold abstains)

**J. In the Matter of the License of: Constance Crawford, L.P.N, License No. 27051878A**

Administrative Cause No. 2011 NB 346

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**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 as written. 4-1-1, motion fails. A motion was made and seconded to reject the settlement agreement. Burghduff/McIntosh, 5-0-1, motion carries (Narwold abstains)

**K. In the Matter of the License of: Virginia Olds, R.N., License No. 28183459A**

Administrative Cause No. 2011 NB 357

Re: Final Disciplinary Hearing

**Parties and Counsel Present:**

Mark Mader, 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, McIntosh, Ogle, Laux, Presley, Narwold

**Board Action:**

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

Petitioner then requested a summary suspension. After a hearing, a motion was made and seconded to grant the summary suspension in this matter. Narwold/Ogle, 8-0-0, motion carries

**L. In the Matter of the License of: Sarah Shepherd, R.N., License No. 28175380A**

Administrative Cause No. 2011 NB 356

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**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 as written. Narwold/Presley, 8-0-0, motion carries

**M. In the Matter of the License of: Traci Quinn, R.N., License No. 28143020A**

**CONTINUED**

Administrative Cause No. 2011 NB 308

Re: Final Disciplinary Hearing

**N. In the Matter of the License of: Melissa Hamilton, R.N., License No. 28129566A**

**CONTINUED**

Administrative Cause No. 2011 NB 284

Re: Final Disciplinary Hearing

**O. In the Matter of the License of: Tracy Hearn, R.N., License No. 28166702A**

Administrative Cause No. 2011 NB 354

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), Hall, Dolk, Ogle, McIntosh, Narwold, Laux, Presley

**Board Action:**

Petitioner requested a continuance in this matter. A motion was made and seconded to grant the continuance. Narwold/Presley, 8-0-0, motion carries

**P. In the Matter of the License of: Shirley Stanford, L.P.N., License No. 27050297A**

**CONTINUED**

Administrative Cause No. 2011 NB 388

Re: Final Disciplinary Hearing

**Q. In the Matter of the License of: Cindy Merrill, R.N., License No. 28149716A**

**CONTINUED**

Administrative Cause No. 2011 NB 387

Re: Final Disciplinary Hearing

**R. In the Matter of the License of: Jeanette Duncan, R.N., L.P.N., License Nos. 28163424A, 27054934A**

Administrative Cause No. 2011 NB 385

**CONTINUED**

Re: Final Disciplinary Hearing

**S. In the Matter of the License of: Gustav Schlueter, R.N., License No. 28169681A**

**CONTINUED**

Administrative Cause No. 2011 NB 383

Re: Final Disciplinary Hearing

**T. In the Matter of the License of: Tovia Allen, L.P.N., License No. 27050270A**

Administrative Cause No. 2011 NB 375

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**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 as written. Burghduff/Dolk, 8-0-0, motion carries

**U. In the Matter of the License of: Bonita Edgeworth, R.N., License No. 28188020A**

Administrative Cause No. 2011 NB 216

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

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

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, 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 reject the settlement agreement as written. Burghduff/Ogle, 5-0-0, motion carries

**V. In the Matter of the License of: Kimberly Jackson, R.N., License No. 28129757A**

Administrative Cause No. 2011 NB 263

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

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

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, 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 approve the settlement agreement as written. Burghduff/Dolk, 5-0-0, motion carries

**W. In the Matter of the License of: Allison Colbert, R.N., License No. 28156261A**

Administrative Cause No. 2011 NB 168

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

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

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, 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 reject the settlement agreement as written. Hall/McIntosh, 5-0-0, motion carries

**X. In the Matter of the License of: Shay Williams, R.N., License No. 28187334A**

Administrative Cause No. 2011 NB 287

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**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 as written. Burghduff/Narwold, 6-2-0, motion carries (Laux/McIntosh against)

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

Administrative Cause No. 2011 NB 012

Re: Final Disciplinary Hearing

**Parties and Counsel Present:**

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

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

Holly Azbill, Respondent

Joseph Azbill, Respondent's spouse

**Participating Board Members:**



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

**Board Action:**

A hearing was held in this matter. After the hearing, a motion was made and seconded to place the Respondent's license on indefinite suspension. Respondent must demonstrate six months of full compliance in an ISNAP RMA. Ogle/Laux, 5-1-2, motion carries (Dolk against, Narwold and Hall abstain)

**Z. In the Matter of the License of: Julie Lynn Clark, R.N., License No. 28137814A**

**CONTINUED**

Administrative Cause No. 2011 NB 280

Re: Final Disciplinary Hearing

**AA. In the Matter of the License of: Anthony John Clemente, L.P.N., License No. 27039578A**

Administrative Cause No. 2011 NB 290

Re: Final Disciplinary Hearing

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**Board Action:**

Petitioner requested a notice of proposed default. A motion was made and seconded to issue a notice of proposed default in this matter. Laux/McIntosh 8-0-0

**BB. In the Matter of the License of: Sally Ann Daggy, R.N., License No. 28053905A**

Administrative Cause No. 2011 NB 170

Re: Final Disciplinary Hearing

Proposed Settlement Agreement

**Parties and Counsel Present:**

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

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, 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 reject the settlement agreement as written. Burghduff/Ogle, 5-0-0, motion carries

**CC. In the Matter of the License of: Danelle Grogg, L.P.N., License No. 27060921A**

Administrative Cause No. 2011 NB 266

Re: Final Disciplinary Hearing

Proposed Settlement Agreement

**Parties and Counsel Present:**

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

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, 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 as written. Burghduff/Hall, 3-2-0, motion fails. A motion was made and seconded to reject the settlement agreement as written. Ogle/McIntosh 5-0-0, motion carries

**DD. In Matter of the License of: Glenn Alan Loving, L.P.N., License No. 27053770A**

Administrative Cause No. 2011 NB 200

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**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 as written. Burghduff/Ogle, 7-0-1, motion carries (Narwold abstains)

**EE. In the Matter of the License of: Darlena Fay McQueen, L.P.N., License No. 27023113A**

**CONTINUED**

Administrative Cause No. 2011 NB 193

Re: Final Disciplinary Hearing

**FF. In the Matter of the License of: Anna Denise Moye, L.P.N., License No. 27039560A**

Administrative Cause No. 2011 NB 051

Re: Final Disciplinary Hearing

Response from Respondent

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**Board Action:**

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

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

**CONTINUED**

Administrative Cause No. 2011 NB 187

Re: Final Disciplinary Hearing

**HH. In the Matter of the License of: Katie Parker- Bauch, L.P.N., License No. 27048505A**

Administrative Cause No. 2011 NB 267

Re: Final Disciplinary Hearing

Proposed Settlement Agreement

**Parties and Counsel Present:**

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

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, 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 as written. Ogle/Burghduff, 5-0-0, motion carries

**II. In the Matter of the License of: Patricia Pence, L.P.N., License No. 27039250A**

Administrative Cause No. 2011 NB 262

Re: Final Disciplinary Hearing

Proposed Settlement Agreement

**Parties and Counsel Present:**

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

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, 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 as written. Burghduff/Ogle, 5-0-0, motion carries

**JJ. In the Matter of the License of: Jamie Totten, R.N., License No. 28151281A**

Administrative Cause No. 2011 NB 313

Re: Final Disciplinary Hearing

Amended Proposed Settlement Agreement

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**Board Action:**

The parties filed an amended proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/Presley, 8-0-0, motion carries

**KK. In the Matter of the License of: Ann T. Wendling, R.N., License No. 28104140A**

Administrative Cause No. 2011 NB 180

Re: Final Disciplinary Hearing

Re: Petition for Renewal of Summary Suspension

**Parties and Counsel Present:**

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

Ann Wendling, Respondent

**Participating Board Members:**

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

**Board Action:**

The parties appeared in person and verbally agreed to renew the summary suspension for a period of ninety days. The final hearing in this matter was previously continued. Burghduff/Laux, 7-0-0, motion carries

**LL. In the Matter of the License of: Meranda Wilson, L.P.N., License No. 27048975A**

Administrative Cause No. 2011 NB 248

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**Board Action:**

The parties filed an amended proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Narwold/Burghduff, 8-0-0, motion carries

**MM. In the Matter of the License of: Patrick Delaney, R.N., License No. 28199971A**

Administrative Cause No. 2011 NB 443

Re: Request to Withdraw Probation

**Parties and Counsel Present:**

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

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

Patrick Delaney, Respondent

**Participating Board Members:**

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

**Board Action:**

A hearing was held regarding Petitioner's request to withdraw probation. A motion was made and seconded to withdraw the probation. Burghduff/Ogle, 8-0-0, motion carries

**NN. In the Matter of the License of: Rebekah Leah Grandi, R.N., License No. 28186191A**

Administrative Cause No. 2010 NB 209

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), Hall, Dolk, Ogle, McIntosh, Laux, Presley

**Board Action:**

Petitioner requested a continuance in this matter. A motion was made and seconded to grant the continuance. Burghduff/Laux, 7-0-0, motion carries

**OO. In the Matter of the License of: Tracy Manns, R.N., License No. 28153687A**

Administrative Cause No. 2011 NB 431

Re: Order to Show Cause

**Parties and Counsel Present:**

Christina Clark, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

Tracy Manns, Respondent

**Participating Board Members:**

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

**Board Action:**

A hearing was held regarding an order to show cause issued in this matter. A motion was made and seconded to place Respondent's license on indefinite suspension for a minimum of one year with full and complete compliance in an ISNAP RMA. Burghduff/Ogle, 7-0-0, motion carries

**PP. In the Matter of the License of: Rebecca Winder, R.N., License No. 28198668A**

Administrative Cause No. 2011 NB 240

Re: Order to Show Cause

**Parties and Counsel Present:**

Christina Clark, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

**Participating Board Members:**

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

**Board Action:**

Respondent failed to appear for the Order to Show Cause hearing and the State requested a notice of proposed default. A motion was made and seconded to issue a notice of proposed default. Burghduff/Hall 7-0-0, motion carries The State then requested a summary suspension of Respondent's license. After a hearing, a motion was made and second to grant the summary suspension. Burghduff/Ogle 7-0-0, motion carries

**QQ. In the Matter of the License of: Amanda Hubbard, L.P.N., License No. 27067633A**

Administrative Cause No. 2011 NB 363

Re: Petition for Review of Decision on License Application

**Parties and Counsel Present:**

Amanda Hubbard, Petitioner

**Participating Board Members:**

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

**Board Action:**

A hearing was held regarding Petitioner's appeal of the decision made on her license application. After the hearing, a motion was made and seconded to issue free and clear. 4-3-1, Narwold/Dolk, (Burghduff abstains), motion fails. A motion was then made and seconded to modify the probation to six months of active nursing practice. Laux/Ogle, 6-1-1 (Narwold against, Burghduff abstains)

**RR. In the Matter of the License of: Kelly Martin, L.P.N., License No. 27033297A**

Administrative Cause No. 2011 NB 460

Re: Final Disciplinary Hearing

Motion to Dismiss Complaint

**Parties and Counsel Present:**

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

**Participating Board Members:**

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

**Board Action:**

The State of Indiana filed a motion to dismiss based on the fact that the licensee successfully completed ISNAP and a probation with the Board based on a personal appearance. A motion was made and seconded to dismiss the case. Burghduff/Hall, 5-0-0, motion carries

**SS. In the Matter of the License of: Mitchel Rowison, R.N., License No. 28189674A**

Administrative Cause No. 2011 NB 531

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, 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), Hall, Dolk, Ogle, McIntosh, Presley, Laux, Narwold

**Board Action:**

A hearing was held regarding a petition for summary suspension filed in this matter. After a hearing, a motion was made and seconded to grant the request for summary suspension. Burghduff/Narwold, 8-0-0, motion carries

**TT. In the Matter of the License of: Elizabeth Rye-Brooks, L.P.N., License No. 27053860A**

Administrative Cause No. 2011 NB 532

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, 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), Hall, Dolk, Ogle, McIntosh, Presley, Laux, Narwold

**Board Action:**

A hearing was held regarding a petition for summary suspension filed in this matter. After a hearing, a motion was made and seconded to grant the request for summary suspension. Narwold/Dolk, 8-0-0, motion carries

**UU. In the Matter of the License of: Kimberly Warner, R.N., License No. 28134386A**

Administrative Cause No. 2011 NB 534

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, 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), Hall, Dolk, Ogle, McIntosh, Presley, Laux, Narwold

**Board Action:**

A hearing was held regarding a petition for summary suspension filed in this matter. After a hearing, a motion was made and seconded to grant the request for summary suspension. Laux/Ogle, 8-0-0, motion carries

**VV. In the Matter of the License of: Bridgette Wayo, R.N., License No. 28164447A**

Administrative Cause No. 2011 NB 535

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, 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), Hall, Dolk, Ogle, McIntosh, Presley, Laux, Narwold

**Board Action:**