

MINUTES

INDIANA STATE BOARD OF NURSING

February 16, 2006

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Mr. Helmuth called the meeting to order at 8:44 a.m. in the Auditorium of the Indiana Government Center-South, 302 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-23-1-5(b).

Board Members Present:

Mervin Helmuth, R.N., Vice-President
Carolyn Slagle, R.N., C.N.S., Member
Ann Parker, R.N., Secretary
Susan Dye, R.N., Member
Traci Little, JD, Consumer Member

Board Members Absent:

Laurie Peters, R.N., President
Janis Shook, L.P.N., Member
Laurel Valentino, R.N., Member
Darla Jones, L.P.N., Member

State Officials Present:

Tonja Thompson, Board Director, Indiana Professional Licensing Agency
Michelle Hines, Assistant Board Director, Indiana Professional Licensing Agency
Gordon White, Commission Advisory Counsel, Office of the Attorney General

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda, as amended.

HELMUTH/DYE
Motion carried 5-0-0

III. ADOPTION OF THE MINUTES FROM THE JANUARY 19, 2006 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes, as amended, from the January 19, 2006 meeting of the Board.

HELMUTH/SLAGLE
Motion carried 5-0-0

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM (ISNAP) REPORT

Charles Lindquist, ISNAP Program Director, presented the monthly report to the Board. Mr. Lindquist spoke to the audience about the ISNAP program at the request of the Board. Mr. Lindquist informed the Board that ISNAP has, as of January, 2006, 399 active clients, 26 new intakes, 88 intakes in process and 19 RMA's returned. Mr. Lindquist also informed the Board that ISNAP has scheduled a conference on September 29, 2006 to talk with human resource departments, nurse managers, etc. about additions and how to create a healthy work environment.

The Board reviewed the proposed discussion questions they received from ISNAP at the December 15, 2005 meeting. Carolyn Slagle suggested that the Board form a Sub-Committee to meet with ISNAP and review the proposed discussion questions. The Board agreed and decided to schedule a meeting with ISNAP the day of the Board meeting on March 16, 2006 at 7:00 a.m.

V. EDUCATION

A. Pass Rates

The Board reviewed the annual pass rates. The Board commented that the pass rates for both the LPN and RN are a little higher this year. Olympia College was the only school with a pass rate below the required Indiana pass rate for more than three consecutive years. Since Olympia College recently

appeared for a hearing before the Board regarding their pass rates, there is no need to have them submit a plan of correction at this time. The Board approved the annual pass rates.

B. Indiana Graduate School of Management – Application for Accreditation

Corey Dabney, CEO of Indiana Graduate School of Management, presented an application for accreditation to the Board. The Board approved Indiana Graduate School of Management's Application for Accreditation. The Board informed Mr. Dabney that the next step will be to have site visit.

HELMUTH/DYE
Motion carried 5-0-0

C. Brown Mackie College, Fort Wayne – Change in Program Chair

Ellen Brackett is the new Program Chair. The Board requested that PLA contact Ms. Brackett and request a copy of her transcripts providing proof of her Master's degree for approval.

D. American Social Services of Uptown, Inc. – Letter of Intent

Dr. Joseph Tengbah appeared before the Board. The Board advised Mr. Tengbah to include 848 IAC 1-2-1 (a) (1) (2) in his information at his next visit before the Board. The Board explained to Mr. Tengbah that he will need to contact the Board when he is ready to reappear.

VI. BUSINESS

1. December 21, 2006 Board Meeting – The Board motioned to change the December 21, 2006 Board meeting to December 14, 2006.

HELMUTH/SLAGLE
Motion carried 5-0-0

VII. PERSONAL APPEARANCES

A motion was made and seconded to affirm the recommendation of Carolyn Slagle for the Board, as follows:

HELMUTH/DYE
Motion carried 4-0-1 Ms. Slagle abstained.

A. Appearances by Applicants for Licensure

1. Dennis Burton

Mr. Burton appeared before the Board regarding his application for licensure by examination. Mr. Burton pled guilty to two Class A misdemeanors. The first misdemeanor was on November 3, 1991. He was charged with battery, resisting law enforcement, disorderly conduct and failure to inform his identity. Mr. Burton pled guilty to resisting law enforcement with the other charges being dismissed. The second misdemeanor was on July 1, 2002. He was arrested for possession of marijuana and paraphernalia after being pulled over for speeding. On October 3, 2002 Mr. Burton pled guilty to possession of paraphernalia with the other charge being dropped. Mr. Burton was fined \$5,000.00 dollars, sentenced to 365 days of jail time, all being suspended, one year of probation, and required to attend seven Pacados classes. All court and probation has been completed. Ms. Slagle recommended Dennis Burton be evaluated by ISNAP and comply with any recommendations.

1. Stephanie Malloy

Ms. Malloy appeared before the Board regarding the positive response on her examination application. Ms. Malloy was arrested on November 27, 2004 for OWI. Ms. Malloy pled guilty on February 28, 2005 to the charge of OWI, a Class A misdemeanor. She was placed on probation for one year, which will be complete on February 27, 2005. Ms. Malloy indicated that she has completed all other recommended court orders, such as, paying all fees and costs, attended a victim impact panel and completed a CARE alcohol program. Ms. Slagle recommended Stephanie Malloy be evaluated by ISNAP and comply with any recommendations.

2. Amy Wilson (Smith)

Ms. Wilson appeared before the Board regarding the positive response on her examination application. Ms. Wilson received an OWI on November 2001 and in July 2003. Ms. Wilson indicated that she attended counseling beginning in September 2003 and finished it in June 2004.

Ms. Slagle recommended Amy Wilson be evaluated by ISNAP and comply with any recommendations.

3. Tina Deiwert

Ms. Deiwert did not appear before the Board regarding the positive response on her endorsement application. Ms. Deiwert was arrested for DUI in 1991 and 1995. She was arrested for methamphetamine in March 2002. Ms. Deiwert stated that she completed eighteen months of drug court through the Florida Board of Nursing on February 2, 2004. She became licensed in Florida in June 2003. Ms. Deiwert is currently in the Intervention Program for nurses in Florida. She couldn't appear but submitted additional information to the Board. Ms. Slagle recommended that on the condition that Tina Deiwert is compliant with the Florida Board of Nursing, is evaluated by ISNAP and complies with any recommendations, Tina Deiwert may be issued a license.

4. Derek Miyasaki

Mr. Miyasaki did not appear before the Board regarding the positive response on his endorsement application. In June 2003 Mr. Miyasaki voluntarily entered a treatment program for alcohol, drug treatment and counseling. In July 2003 he voluntarily entered the California RN diversion program. Mr. Miyasaki has been clean and sober since June 18, 2003. Ms. Slagle recommended that on the condition Derek Miyasaki is compliant with the California Board of Nursing, is evaluated by ISNAP and complies with any recommendations, Derek Miyasaki may be issued a license.

5. Teresa Bailey

Ms. Bailey appeared before the Board regarding the positive response on her endorsement application. Ms. Bailey's Kentucky license was reprimanded by the Kentucky Board for providing poor care and inadequate charting on a patient who had fallen and suffered a fractured hip at her place of employment, Wesley Manor. Ms. Bailey was terminated from Wesley Manor for this incident. The DON called her and terminated her on her cell phone. The Kentucky Board of Nursing wants Ms. Bailey to get sixty hours of continuing education credits and pay a fine in the amount of \$500.00. Ms. Slagle recommended Teresa Bailey be issued a temporary license. Prior to permanent licensure, Ms. Bailey must submit proof of the completed sixty hours of continuing education and that the \$500.00 fine has been paid to the Kentucky Board of Nursing.

6. Leann Carol Libke

Ms. Libke appeared before the Board regarding the positive response on her endorsement application. Ms. Libke received an Assurance of Voluntary Compliance from the Nebraska Attorney General's Office. Ms. Libke made a joke to other staff members that she smacked a resident upside the head. Ms. Libke stated that she did not smack anyone. Ms. Slagle recommended to issue Leann Carol Libke a license.

VIII. ADMINISTRATIVE HEARINGS

A. The following hearings were continued:

- 1. State of Indiana v. Kimberly Patrick, L.P.N., License No. 27054748A**
Administrative Cause No. 2004 NB 0206
Re: Request to Withdraw Probation
- 2. State of Indiana v. Jacqueline McQueary, L.P.N., License No. 27037055A**
Administrative Cause No. 2002 NB 031
Re: Request to Reinstate
- 3. State of Indiana v. Kimberly Thompson, L.P.N., License No. 27047748A**
Administrative Cause No. 2002 NB 031
Re: Request to Reinstate
- 4. State of Indiana v. Tammy Renee McClish, L.P.N., License No. 27046987A**
Administrative Cause No. 2005 NB 0177
Re: Preliminary & Disciplinary Hearing

- B. State of Indiana v. Sue Ellen Krentz, R.N., License No. 28138309A**
Administrative Cause No. 2005 NB 0181
Re: Disciplinary Hearing

Parties and Counsel Present:

Sue Ellen Krentz, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

State's Witness:

Janet Thode, LaPorte Hospital, Director

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: A Complaint was filed on October 26, 2005 alleging the Respondent violated five counts of Indiana Code 25-1-9-4.

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of ninety (90) days. Once Respondent is compliant with ISNAP for ninety (90) days, Respondent's license will automatically be placed on Indefinite Probation for the length of her ISNAP contract. Further, Respondent must pay a fine in the amount of \$250.00 dollars.

HELMUTH/SLAGLE
Motion carried 5/0/0

C. State of Indiana v. Victoria Lee Reed, R.N., License No. 28113940A

Administrative Cause No. 2005 NB 0203

Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.
Shelley Johnson, Deputy Attorney General for the State of Indiana

State's Witness:

Susan Meadows, Executive Director, Petersburg Health Care and Rehab Center

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: A Complaint was filed on December 21, 2005 alleging the Respondent violated two counts of Indiana Code 25-1-9-4. The State informed the Board that they have not heard from the Respondent and she has not requested a continuance.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default.

HELMUTH/DYE
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Summary Suspension for a period of ninety (90) days.

HELMUTH/SLAGLE
Motion carried 5-0-0

D. State of Indiana v. Mary Angela Stephens, L.P.N., License No. 27038148A

Administrative Cause No. 2005 NB 0201

Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.
Patrick McCool, Deputy Attorney General for the State of Indiana

State's Witness:

Desiree Gustafson, Administrator at First Call Medical Staffing

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: A Complaint was filed on December 21, 2005 alleging the Respondent violated three counts of Indiana Code 25-1-9-4. The State informed the Board that they have not heard from the Respondent and she has not requested a continuance.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default.

HELMUTH/DYE
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Summary Suspension for a period of ninety (90) days.

HELMUTH/SLAGLE
Motion carried 5-0-0

E. State of Indiana v. Kimberly Burton, L.P.N., License No. 27040823A

Administrative Cause No. 2005 NB 0129
Re: Petition for Extension of Summary Suspension

Parties and Counsel Present:

Respondent did not appear in person and was not represented by counsel.
Elizabeth Kiefner, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Summary Suspension at the June 22, 2005 Board meeting. The Summary Suspension was renewed at the August 18, 2005 Board meeting. A Petition for Extension of Summary Suspension was filed on November 14, 2005. Respondent's license was placed on Summary Suspension at the November 17, 2005 Board meeting. A Petition for Extension of Summary Suspension was filed on February 8, 2006. Respondent contacted the Petitioner and indicated that she would be unable to attend.

Board Action: A motion was made and seconded to extend the Summary Suspension on the Respondent's license for an additional ninety (90) days.

HELMUTH/SLAGLE
Motion carried 5-0-0

F. State of Indiana v. Merri Lynne Bottorff, L.P.N., License No. 27014627A

Administrative Cause No. 2004 NB 0102
Re: Request to Withdraw Probation

Parties and Counsel Present:

Respondent did not appear in person and was not represented by counsel
Laura Wilford, Deputy Attorney Generals for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Indefinite Probation at the September 16, 2004 meeting. The Findings of Fact, Ultimate Findings of Fact and Order, Conclusions of Law and Order Filed on September 30, 2004.

Board Action: A motion was made and seconded to withdraw the probation on the Respondent's license.

HELMUTH/DYE
Motion carried 4-0-1

Ms. Slagle abstained.

- G. State of Indiana v. Sonya Hove Francis, L.P.N., License No. 27014627A**
Administrative Cause No. 2005 NB 0117
Re: Disciplinary Hearing

Parties and Counsel Present:

Sonya Hove Francis, Respondent
Julie Glade, Counsel for the Respondent
Shelley Johnson, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: A Complaint was filed on Mary 25, 2005 alleging the Respondent violated six counts of Indiana Code 25-1-9-4. A Verbal Agreement was presented to the Board. The Agreement included a Letter of Reprimand, nine (9) hours of continuing education as determined by the Board Order and a fine in the amount of \$500.00 dollars.

Board Action: A motion was made and seconded accept the Agreement.

HELMUTH/DYE
Motion carried 4-0-1

Ms. Slagle abstained.

- H. State of Indiana v. Karen Pence, L.P.N., License No. 27029947A**
Administrative Cause No. 1998 NB 078
Re: Order to Show Cause

Parties and Counsel Present:

Karen Pence, Respondent
Sean Beal, Counsel for the Respondent
Steven Douglas, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

State's Witness:

Charles Lindquist, ISNAP Program Director

Case Summary: Respondent's license was placed on Indefinite Probation at the September 16, 2004 Board meeting. The Final Order was filed on September 29, 2004. The Order to Show Cause was filed on January 31, 2006.

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Suspension until an evaluation is done by ISNAP, any recommendations by ISNAP are complied with and a fine in the amount of \$250.00 dollars is paid.

HELMUTH/LITTLE
Motion carried 5-0-0

- I. State of Indiana v. Julia Dawn Crane, R.N., License No. 28151972A**
Administrative Cause No. 2001 NB 039
Re: Request to Withdraw Probation

Parties and Counsel Present:

Julia Dawn Crane, Respondent
The State of Indiana was not represented.

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Probation at the September 20, 2001 Board meeting. The Decision on License Application was filed on October 18, 2001.

Board Action: A motion was made and seconded to withdraw the probation on the Respondent's license.

HELMUTH/DYE
Motion carried 5-0-0

J. State of Indiana v. Christy Grose, R.N., License No. 28132947A

Administrative Cause No. 2004 NB 0118
Re: Order to Show Cause

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.
Laura Wilford, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Probation at the March 17, 2005 Board meeting. The Findings of Fact and Order was filed on March 31, 2005. The Order to Show Cause was filed on January 31, 2006.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default.

HELMUTH/SLAGLE
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Summary Suspension for a period of ninety (90) days.

HELMUTH/SLAGLE
Motion carried 5-0-0

K. State of Indiana v. Garry Lee Zembower, L.P.N., License No. 27040913A

Administrative Cause No. 2005 NB 0194
Re: Disciplinary Hearing

Parties and Counsel Present:

Garry Lee Zembower, Respondent
Ellen Corcella, Counsel for the Respondent
Daniel Cavallini, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: A Complaint was filed on December 5, 2005 alleging the Respondent violated seven counts of Indiana Code 25-1-9-4. A Verbal Agreement was presented to the Board. The Agreement included the Respondent's license placed on Indefinite Probation for a period of four (4) years. Further,

Respondent must have a psychological evaluation done, forty-eight (48) hours of community service, continuing education as determined in the Board Order, a class with anger management must be taken within six (6) months of the Final Order and a fine in the amount of \$750.00 dollars. The Board amended the agreement by requesting that the Respondent have the psychological evaluation done within ninety (90) days.

Board Action: A motion was made and seconded to accept the Agreement as amended.

HELMUTH/DYE
Motion carried 4-0-1

Ms. Slagle abstained.

- L. State of Indiana v. Mary Elisabeth White, R.N., License No. 28152378A**
Administrative Cause No. 2005 NB 0193
Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear in person and was not represented by counsel.
Daniel Cavallini, Deputy Attorney General for the State of Indiana

State's Witnesses:

Damon Grove, Investigator for the Medicaid Fraud Unit with the Attorney General's Office
Cheri Crouch, CEO at Carestaff

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: A Complaint was filed on December 5, 2005 alleging the Respondent violated five counts of Indiana Code 25-1-9-4. The State informed the Board that they have not heard from the Respondent and she has not requested a continuance.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default.

HELMUTH/SLAGLE
Motion carried 5-0-0

- M. State of Indiana v. Tracey Lynn Rambo, L.P.N., License No. 27046140A**
Administrative Cause No. 2005 NB 0192
Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear in person and was not represented by counsel.
Linda Batten, Deputy Attorney Generals for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: A Complaint was filed on December 5, 2005 alleging the Respondent violated two counts of Indiana Code 25-1-9-4. The State informed the Board that they have not heard from the Respondent and she has not requested a continuance.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default.

HELMUTH/DYE
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Summary Suspension for a period of ninety (90) days.

HELMUTH/SLAGLE
Motion carried 5-0-0

A motion was made and seconded to deny the Respondent's renewal for licensure.

HELMUTH/SLAGLE
Motion carried 5-0-0

N. State of Indiana v. Patricia Barefoot, R.N., License No. 28060260A

Administrative Cause No. 2004 NB 0043
Re: Order to Show Cause

Parties and Counsel Present:

Respondent did not appear in person and was not represented by counsel.
Laura Wilford, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Indefinite Probation at the July 15, 2004 Board meeting. The Findings of Fact and Order was filed on November 12, 2004. The Order to Show Cause was filed on January 31, 2006.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default.

HELMUTH/DYE
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Summary Suspension for a period of ninety (90) days.

HELMUTH/SLAGLE
Motion carried 5-0-0

O. State of Indiana v. Cheri Ann Whitaker, L.P.N., License No. 27041200A

Administrative Cause No. 2005 NB 0160
Re: Preliminary & Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.
Daniel Cavallini, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Summary Suspension at the January 19, 2006 Board meeting. An Order for Continuance of Final Hearing and Extension of Summary Suspension Order was filed on January 24, 2006. A Complaint was filed on November 9, 2005 alleging the Respondent violated one count of Indiana Code 25-1-9-4.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default.

HELMUTH/DYE
Motion carried 5-0-0

A motion was made and seconded to extend the Summary Suspension on the Respondent's license for an additional ninety (90) days.

HELMUTH/SLAGLE
Motion carried 5-0-0

- P. State of Indiana v. Darren Joseph Goetz, R.N., License No. 28142740A**
Administrative Cause No. 2004 NB 0226
Re: Extension of Summary Suspension Agreement

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.
Elizabeth Kiefner, Deputy Attorney Generals for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: An Extension of Summary Suspension Agreement for an additional ninety (90) days was filed on February 14, 2006.

Board Action: A motion was made and seconded to accept the Agreement.

HELMUTH/DYE
Motion carried 4-0-1 Ms. Slagle abstained.

- Q. State of Indiana v. Lashondra McIntosh, L.P.N., License No. 27051908A**
Administrative Cause No. 2005 NB 0184
Re: Petition for Extension of Summary Suspension

Parties and Counsel Present:

Respondent did not appear in person and was not represented by counsel.
Linda Batten, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Summary Suspension at the November 17, 2005 Board meeting. A Complaint was filed on January 30, 2006 alleging the Respondent violated two counts of Indiana Code 25-1-9-4. Respondent contacted PLA and requested a continuance.

Board Action: A motion was made and seconded to extend the Summary Suspension on the Respondent's license for an additional ninety (90) days.

HELMUTH/SLAGLE
Motion carried 5-0-0

- R. State of Indiana v. Lynn Marie Carrillo, L.P.N., License No. 27043222A**
Administrative Cause No. 2004 NB 0171
Re: Request to Withdraw Probation

Parties and Counsel Present:

Respondent did not appear in person and was not represented by counsel.
Patrick McCool, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Indefinite Probation at the April 21, 2005 Board meeting. The Agreed Order was filed on May 17, 2005.

Board Action: A motion was made and seconded to withdraw the probation on the Respondent's license.

HELMUTH/PARKER
Motion carried 4-1-0

Ms. Little opposed.

S. State of Indiana v. Dawn Twing, L.P.N., License No. 27039995A

Administrative Cause No. 2002 NB 072

Re: Request for Reinstatement

Parties and Counsel Present:

Dawn Twing, Respondent

Laura Wilford, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)

Ms. Dye

Ms. Parker

Ms. Slagle

Ms. Little

Case Summary: Respondent's license was placed on Indefinite Suspension at the March 20, 2003 Board meeting. The Findings of Fact and Order was filed on May 7, 2003.

Board Action: A motion was made and seconded to reinstate the Respondent's license on Indefinite Probation for a period of two (2) years of active nursing practice. Further, Respondent must submit supervisor reports every month for the first six months, then quarterly after that and submit a report from a licensed therapist every six months.

HELMUTH/DYE
Motion carried 5-0-0

T. State of Indiana v. Marsha Ann Selke, R.N., License No. 28090573A

Administrative Cause No. 2002 NB 0023

Re: Request to Reinstate

Parties and Counsel Present:

Marsha Ann Selke, Respondent

Patrick McCool, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Mr. Helmuth (Hearing Officer)

Ms. Dye

Ms. Parker

Ms. Slagle

Ms. Little

Case Summary: Respondent's license was placed on Indefinite Suspension at the July 21, 2005 Board meeting. The Agreed Order was filed on July 28, 2005.

Board Action: A motion was made and seconded to reinstate the Respondent's license on Indefinite Probation for a period of one (1) year of compliance with ISNAP.

HELMUTH/SLAGLE
Motion carried 5-0-0

U. State of Indiana v. Tracy Lynn Livvix, L.P.N., License No. 27041249A

Administrative Cause No. 2005 NB 0043

Re: Preliminary & Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.

Elizabeth Kiefner, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Summary Suspension at the February 17, 2005 Board meeting. The Summary Suspension was renewed at the May 19, 2005 and August 18, 2005 meetings. A Petition for Third Extension of Summary Suspension was filed on November 10, 2005. Respondent's license was placed on Summary Suspension at the November 17, 2005 Board meeting. A Complaint was filed on February 3, 2006 alleging the Respondent violated two counts of Indiana Code 25-1-9-4. The State informed the Board that the Respondent agrees to an extension of the summary suspension for an additional ninety (90) days.

Board Action: A motion was made and seconded to extend the Summary Suspension on the Respondent's license for an additional ninety (90) days.

HELMUTH/PARKER
Motion carried 5-0-0

V. State of Indiana v. Donna Marie Hawkins, L.P.N., License No. 27044780A

Administrative Cause No. 2003 NB 0074
Re: Order to Show Cause

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.
Patrick McCool, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Indefinite Probation at the April 15, 2004 Board meeting. The Findings of Fact, Conclusion of Law and Order was filed on April 27, 2004. The Order to Show Cause was filed on February 7, 2006.

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one year. Further, Respondent must have six (6) months of compliance with ISNAP prior to petitioning for reinstatement and pay a fine in the amount of \$250.00 dollars.

HELMUTH/PARKER
Motion carried 5-0-0

W. State of Indiana v. Brian Patrick Tunin, R.N., License No. 28137578A

Administrative Cause No. 2005 NB 0189
Re: Petition for Extension of Summary Suspension

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.
Linda Batten, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Summary Suspension at the November 17, 2005 Board meeting. A Petition for Extension of Summary Suspension was filed on February 7, 2006.

Board Action: A motion was made and seconded to extend the Summary Suspension on the Respondent's license for a period of ninety (90) days.

HELMUTH/SLAGLE
Motion carried 5-0-0

- X. State of Indiana v. Melinda Sue Gonzalez, L.P.N., License No. 27033903A**
Administrative Cause No. 2006 NB 0019
Re: Petition for Summary Suspension

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.
Laura Wilford, Deputy Attorney General for the State of Indiana

State's Witnesses:

Charles Lindquist, ISNAP Program Director
Paula Freeman

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: A Petition for Summary Suspension was filed on February 14, 2006.

Board Action: A motion was made and seconded to extend the Summary Suspension on the Respondent's license for a period of ninety (90) days.

HELMUTH/DYE
Motion carried 5-0-0

IX. DEFAULT HEARINGS

- A. State of Indiana v. Cathy Jo Mukes, L.P.N., License No. 27035829A**
Administrative Cause No. 2004 NB 0152
Re: Notice of Proposed Default

Parties and Counsel Present:

Respondent did not appear in person and was not represented by counsel.
Laura Wilford, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent did not appear at the hearing scheduled on June 16, 2005. There has been no response from the Respondent regarding the Notice of Proposed Default Order filed on June 21, 2005.

Board Action: A motion was made and seconded to find the Respondent in Default.

HELMUTH/DYE
Motion carried 4-0-1 Ms. Slagle abstained.

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year.

HELMUTH/DYE
Motion carried 4-0-1 Ms. Slagle abstained.

- B. State of Indiana v. Linda Gail Hall, L.P.N., License No. 27021822A**
Administrative Cause No. 2003 NB 0077
Re: Notice of Proposed Default

Parties and Counsel Present:

Respondent did not appear in person and was not represented by counsel.

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent did not appear at the hearing scheduled on January 19, 2006. There has been no response from the Respondent regarding the Notice of Proposed Default and Summary Suspension Order on Order to Show Cause filed on January 24, 2006.

Board Action: A motion was made and seconded to find the Respondent in Default.

HELMUTH/SLAGLE
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of two (2) years. Further, the Respondent must pay a fine in the amount of \$250.00 dollars and be evaluated by ISNAP, and if deemed a candidate must have six (6) months of compliance before requesting reinstatement

HELMUTH/PARKER
Motion carried 5-0-0

C. State of Indiana v. Patricia Helena Vanzandt, R.N., License No. 28141120A

Administrative Cause No. 2002 NB 0107
Re: Notice of Proposed Default

Parties and Counsel Present:

Respondent did not appear in person and was not represented by counsel.
Steven Douglas, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent did not appear at the hearing scheduled on January 19, 2006. There has been no response from the Respondent regarding the Notice of Proposed Default and Summary Suspension Order filed on January 24, 2006.

Board Action: A motion was made and seconded to find the Respondent in Default.

HELMUTH/SLAGLE
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of five (5) years. Further, the Respondent must pay a fine in the amount of \$250.00 dollars and the Respondent must be evaluated by ISNAP, and if deemed a candidate must have one (1) year of compliance before requesting reinstatement

HELMUTH/DYE
Motion carried 5-0-0

D. State of Indiana vs. Cathy Manchette, R.N., License No. 28125402A

Administrative Cause No. 2004 NB 0024
Re: Notice of Proposed Default

Parties and Counsel Present:

Respondent did not appear in person and was not represented by counsel.
The State of Indiana was not represented.

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye

Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent did not appear at the hearing scheduled on January 19, 2006. Respondent submitted a response to the Board regarding the Notice of Proposed Default and Summary Suspension Order filed on January 25, 2006.

Board Action: A motion was made and seconded to accept the Respondent's response and reschedule for another hearing at the March Board meeting.

HELMUTH/SLAGLE
Motion carried 5-0-0

E. State of Indiana vs. Dianne Marie Feltus, L.P.N., License No. 27048355A
Administrative Cause No. 2005 NB 0200
Re: Notice of Proposed Default

Parties and Counsel Present:
Respondent did not appear in person and was not represented by counsel.
Laura Wilford, Deputy Attorney General for the State of Indiana

State's Witness:
Charles Lindquist, ISNAP Program Director

Participating Board Members:
Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent did not appear at the hearing scheduled on January 19, 2006. Respondent submitted a response regarding the Notice of Proposed Default and Summary Suspension Order filed on January 25, 2006.

Board Action: A motion was made and seconded to find the Respondent in Default.

HELMUTH/SLAGLE
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year. Further, the Respondent must be evaluated by ISNAP, and if deemed a candidate must have three (3) months compliance before requesting reinstatement and pay a fine in the amount of \$250.00 dollars.

HELMUTH/DYE
Motion carried 5-0-0

F. State of Indiana vs. Lisa Jones, R.N., License No. 28133685A
Administrative Cause No. 2005 NB 0166
Re: Notice of Proposed Default

Parties and Counsel Present:
Respondent did not appear in person and was not represented by counsel.
Shelley Johnson, Deputy Attorney General for the State of Indiana

Participating Board Members:
Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Slagle
Ms. Little

Case Summary: Respondent did not appear at the hearing scheduled on November 17, 2005. Respondent submitted a response regarding the Notice of Proposed Default and Summary Suspension Order filed on December 6, 2005.

Board Action: A motion was made and seconded to find the Respondent in Default.

HELMUTH/PARKER
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of two (2) years. Further, the Respondent must be evaluated by ISNAP, and if deemed a candidate must have six (6) months compliance before requesting reinstatement and pay a fine in the amount of \$250.00 dollars.

HELMUTH/SLAGLE
Motion carried 5-0-0

X. DELIBERATION AND POSSIBLE ISSUANCE OF FINAL ORDERS

A. Settlement Agreements

- 1. State of Indiana v. Della Ruth Hensley, L.P.N., License No. 27031242A**
Administrative Cause No. 2005 NB 0180
Re: Proposed Settlement Agreement

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.
Steven Douglas, Deputy Attorney Generals for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Slagle
Ms. Dye
Ms. Parker
Ms. Little

Case Summary: An Agreement was filed on January 31, 2006 between the Respondent and the Office of the Attorney General. The Agreement included the Respondent's license placed on Indefinite Probation for a period of three (3) years, a Letter of Reprimand and nine (9) hours of continuing education as determined in the Board Order.

Board Action: A motion was made and seconded to accept the Agreement.

HELMUTH/DYE
Motion carried 4-0-1 Ms. Slagle abstained.

- 2. State of Indiana v. Brandy N. Thompson (Marcum), L.P.N., License No. 27052845A**
Administrative Cause No. 2005 NB 0158
Re: Proposed Settlement Agreement

Parties and Counsel Present:

Respondent did not appear in person and was not represented by counsel.
Patrick McCool, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Parker
Ms. Little
Ms. Slagle

Case Summary: An Agreement was filed on January 11, 2006 between the Respondent and the Office of the Attorney General. The Agreement included the Respondent's license placed on Indefinite Probation for a period of two (2) years, a fine in the amount of \$250.00 dollars and six (6) hours of continuing education as determined in the Board Order. The Board requested that the Attorney General add into the Agreement that the Respondent can not work in a home health or hospice situation.

Board Action: A motion was made and seconded to table until the March meeting.

HELMUTH/DYE
Motion carried 4-0-1 Ms. Slagle abstained.

B. Administrative Law Judge Recommendations

1. **State of Indiana v. Sylvia Jean Simmons, R.N., License No. 28135479A**
Administrative Cause No. 2003 NB 0157
Re: Denial of Reinstatement
2. **State of Indiana v. Susan Gail Nation, L.P.N., License No. 27051445A**
Administrative Cause No. 2003 NB 0027
Re: Request for Withdrawal of Probation
Recommendation: Denial of Withdrawal of Probation
3. **State of Indiana v. Victoria Hull, R.N., License No. 28063272A**
Administrative Cause No. 2002 NB 005
Re: Request for Withdrawal of Probation
Recommendation: Withdrawal of Probation
4. **State of Indiana v. Angela Crabtree Goldman, R.N., License No. 28124311A**
Administrative Cause No. 2001 NB 008
Re: Request for Withdrawal of Probation
Recommendation: Withdrawal of Probation
5. **State of Indiana v. Lisa Iliff Kennedy, R.N., License No. 28129286A**
Administrative Cause No. 2003 NB 0179
Re: Request for Reinstatement
Recommendation: Reinstate on Indefinite Probation
6. **State of Indiana v. Joseph Ryder, R.N., License No. 28126941A**
Administrative Cause No. 1998 NB 033
Re: Request for Reinstatement
Recommendation: Notice of Proposed Dismissal
7. **State of Indiana v. Teri L. Griffis, L.P.N., R.N., License Nos. 27028976A & 28106456A**
Administrative Cause No. 2004 NB 0186
Re: Complaint
Recommendation: Indefinite Suspension

A motion was made and seconded to affirm the recommendations of Celinda Kay Leach, R.N., Administrative Law Judge, as follows:

HELMUTH/SLAGLE
Motion carried 5-0-0

XI. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Nursing adjourned at 4:14 p.m.

Mervin Helmuth, R.N., Vice-President

Date

Ann Parker, R.N., Secretary

Date