

INDIANA STATE BOARD OF NURSING

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

MINUTES OF JANUARY 15, 2004

Laurie Peters, R.N., President, called the meeting to order at 8:30 a.m. and declared a quorum in accordance with IC 25-23-1-5.

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

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

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

Helmuth/Slagle, 9/0/0

The Board voted to adopt the minutes of November 20, 2003 meeting as amended.

Helmuth/Valentino, 9/0/0

The Board voted to adopt the minutes of December 11, 2003 meeting as amended

Jones/Helmuth, 9/0/0

INDIANA STATE NURSES ASSISTANCE PROGRAM

Donna Goch, Program Director of the Indiana State Nurses Assistance Program (ISNAP) was present. Ms. Goch presented to the Board a copy of the ISNAP quarterly report. She pointed out that since July 1, 2001, 647 Nurses have been involved in the ISNAP program. Currently there are 383 Nurses who are involved with ISNAP. Ms. Goch informed the Board that Steven Thayer has resigned as CEO of PRMC and Rick Frankhart has been appointed Interim CEO. Mr. Frankhart has been with the company since 1996. Ms. Goch addressed the students.

DISCUSSION

University of Phoenix Online – Presentation of Program – Doug Reed appeared before the Board to present the University of Phoenix on-line presentation. He informed the Board that Indiana Wesleyan University is a sister college. Mr. Reed handed out packets to the Board of information about their on-line program. He specifically addressed the following points:

- The program is accredited through Higher Learning Commission and North Central Association.
- The clinicals are community based
- They offer financial aide
- Only 10-12 students per class
- Offer single courses to supplement
- RN to BSN completion program – 1 out of every 5 students graduate
- Masters program – 1 out of ever 6 students graduate
- Currently working with Floyd Memorial and Kings Daughters Hospitals in Indiana.

The Board thanked him for his presentation.

Lisa Sauter – Request to reinstate – Ms. Sauter appeared before the Board concerning a request to reinstate. Her license was suspended for 3 years at the September 18, 2003 meeting. Ms. Sauter indicated to the Board that she could not remember if she received the notices for her hearings because she was overcome with her addiction at that time. She relapsed while in St. Vincent Stress Center. Kate Sinn, Deputy Attorney General informed the Board that Ms. Sauters' final order has not yet been mailed. The Board looked through the file and it was found that Ms. Sauters did sign for the hearing notices and Notice of Proposed Default. After discussion the Board voted to DENY the request for reinstatement.

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

NCLEX-RN – Examination Passing Standard Revision – FYI

Correspondence from Janelle Kelly, LPN – Re: Request to waive continuing education requirement from probation order – Ms. Kelly submitted a request for the Board asking clarification regarding her probationary order. She is having trouble meeting the

education portion of her order. It appears that she was only looking for college credit classes and the Board indicated that the intention of the order was to accept continuing education classes. Perhaps she can find an online course that would meet the requirement.

Salute to Nurses – Ms. Laurie Peters, RN explained to the Board the Indianapolis Star would like the Board to participate with this program again this year. Last year was the pilot for the Salute to Nurses and it had a wonderful outcome. She explained that again this year the nomination forms would be available on-line and in the Indianapolis Star newspaper. The nomination forms will be more patient focused this year. They are also changing to a rating system for the nominations they receive and there will be five (5) awards given out. The Board will also have a booth set up for any questions that the nurses might have that are attending the ceremony. The deadline for the nomination forms is March 31, 2004 and the awards luncheon will be on April 14, 2004. All Board members expressed their willingness to participate in the Salute to Nurses and thought it was great that the Indianapolis Star was sponsoring it again this year.

EDUCATION

Ivy Tech State College Marion RE: Request to add extension site to ASN program – Janet Kramer, RN, MSN, Julia Syverson, Regional ASN Department Chair and Susan Smokey, RN, Program Chair appeared before the Board regarding this request. The nursing program has been expanding. Last fall they expanded to Anderson, this summer to Marion and this fall they will expand to New Castle. They have been turning down students as last year they had 57 applicants for 20 positions. They wish to increase the transitional program by twenty (20) students. They will use Indiana Wesleyan's labs in the summer. The program quality improvement program will help provide the funding needed. After discussion the Board moved to APPROVE the request to add an extension site.

Valentino/Jones, 8/0/1, with Ms. Peters Abstaining

Ivy Tech State College Muncie RE: Request to add extension site in New Castle to ASN program – Janet Kramer, RN, MSN appeared before the Board regarding this request. Last fall they expanded to Anderson, the request to expand to Marion was just approved and they are requesting to expand to New Castle starting this fall. They have been turning down students in the Muncie/New Castle area. They had 120 apply for 20 positions for the ASN program. New Castle is fifteen (15) minutes south of Muncie. New Castle Hospital has volunteered to supply lab facilities and equipment needed as well as salary for one (1) faculty member. The public library has agreed to make changes by including two (2) copies of all nursing text books and they will provide any CD, Video and other resources that may be needed. The general classes will be held at the Danielson Center. They will have a separate chair for this program however the pass rate information will be included with Muncie since this is an extension of the Muncie

program. After discussion the Board moved to APPROVE the request to add an extension site.

Jones/Valentino, 8/0/1, with Ms. Peters Abstaining

Indiana University Northwest RE: Request to suspend admission into ASN program and increase enrollment in BSN program – After reviewing the letter submitted by Linda Rooda, PhD, RN, Professor and Dean at Indiana University Northwest the Board moved to APPROVE the request to suspend admissions to the ASN program and increase enrollment in the BSN program.

Peters/Slagle, 9/0/0

Purdue University Calumet – Report of Survey Visit – The survey visit was performed by Ms. Laurie Peters, R.N. The survey visit was good and there were no unmet. The survey visit was APPROVED and they remain on FULL ACCREDITATION.

Helmuth/Slagle, 8/0/1, with Ms. Peters Abstaining

Indiana University Northwest – Report of Survey Visit – The survey visit was performed by Ms. Laurie Peters, R.N. The survey visit was good and there were no unmet. The only concerns were regarding the pass rates. The survey visit was APPROVED and they remain on FULL ACCREDITATION.

Shook/Helmuth, 8/0/1, with Ms. Peters Abstaining

Ivy Tech State College Columbus – Report of Survey Visit – Geneva Baker, RN, MSN, Health Sciences Division Chair and Janet Kramer, RN, MSN appeared before the Board regarding the survey visit. Paulette Worcester, DNS, RN, CFNP made the survey visit. She listed three (3) concerns:

- Program Chair
- Arrangement with Columbus Regional Hospital – have a developed and formal written agreement that includes specifics listed in the survey report.
- Availability of funds for update of labs and software

Ms Baker addressed all three concerns to the Board. She informed the Board that Susan Walls was hired as chair on January 14, 2004. They have developed a contract with Columbus Regional Hospital and they are in the process of being signed by the CEO of the hospital. They now have the \$60,000 allocated for new tapes and software for the nursing program. In August they will admit forty (40) students to the traditional program with a total of eighty (80) admitted every year. Ms. Baker addressed the concerns to the Boards satisfaction. The program is being approved on INITIAL ACCREDITATION.

Jones/Valentino, 8/0/1, with Ms. Peters Abstaining

Ivy Tech State College Fort Wayne Re: Request to open ASN program – Dr. Mark Keen, Dean of Academic Affairs appeared before the Board regarding this request. He informed the Board that since September 2003 they have had a thousand (1,000) inquires about this new program. In August 2004 a new class of thirty (30) Traditional students will begin and in May 2005 they will implement the Transitional program. Paula Bostwick, RN has been hired as the Program Chair and a full time faculty. Another full time faculty will be coming in the fall. They will use Ivy Tech Fort Wayne’s Practical labs and will be working with the local Hospitals. After discussion the Board moved to APPROVE the request to open an ASN program.

Valentino/Jones, 8/0/1, with Ms. Peters Abstaining

Valparaiso University – Request for a Director of Virtual Nursing Learning Center – After reviewing the letter to the Board, the Board moved to APPROVE this request.

Peters/Helmuth, 9/0/0

NCLEX Pass rates – April 2002 to March 2003 – Ms. Kristen Kelley, Board Director provided all Board members with a printout of the pass rates for all programs. She indicated that at this point she did not have the pass rate figured to include the foreign graduates. The Board requested that the pass rate be refigured to include the foreign pass rate. Ms. Kelley also requested that the Board approve the e-mailing of the pass rates verses a letter going out to all schools. The Board thanked her for her efforts in providing the pass rates and agreed to the e-mail notification.

Olympia College – Report of Survey Visit and Notice of Resignation of Program Chair – Michael Tomak, MSN, RN, EMT, Corporate Director appeared before the Board regarding this matter. Mr. Tomak informed the Board that Ms. Mae Lant resigned on December 29, 2003, as the Program Chair for Olympia College. He also informed the Board that he offered the position to Patricia A. Jones and should she accept he would send in the qualification papers to the Board for their approval. The Board approved the survey visit at their December 2003 meeting and placed Olympia College on Conditional Accreditation. The Board requested that Mr. Tomak have a plan of action in place before the June 2004 survey visit.

Let the record reflect that Traci Little and Carolyn Slagle, RN left the meeting to conduct Personal Appearances.

ADMINISTRATIVE HEARINGS

Dawn M. File, RN, License No. 28098351A, Cause No. 2004 NB 0015

Respondent did appear in person and was not represented by counsel regarding a Petition for Summary Suspension and Application for Renewal scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. An agreement between the Respondent and the Attorney General’s Office was presented to the Board by Barclay

Wong, Deputy Attorney General. The Agreement included SUMMARY SUSPENSION for a period of ninety (90) days. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Peters/Jones, 7/0/0

The Board further moved to NEITHER RENEW NOR DENY the Respondents License Renewal and refer it to the Attorney General's Office for further investigation.

Peters/Jones, 7/0/0

Dezirae R. Riggs, LPN, License No. 27034963A, Cause No. 2004 NB 0018

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Mr. Wong informed the Board that the Respondent has been charged with seven (7) Class D Felonies. She was arrested for calling in prescriptions for different family members and then having her Children pick up the prescriptions. She has made initial contact with ISNAP and has been deemed a candidate. She was sent a contract in September and October of 2003 and ISNAP has not received back a signed copy. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Shook, 7/0/0

Allison Ruth Ditmer, RN, LPN, License No. 28131234A & 27028263A, Cause No. 2003 NB 0010

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Ms. Matticks informed the Board in November 2002 the Respondent was taken to the Hospital for a Duragic patch that was lodged in her throat. Her Ohio license has been suspended for drug diversion. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Shook, 7/0/0

Donna Jean Craig, RN, License No. 28113760A, Cause No. 2002 NB 0089

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. After having considered the evidence presented and taking official notice

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

Peters/Jones, 7/0/0

It was discovered after the meeting that Ms. Craig was sent a hearing notice for the wrong date. Ms. Peters was conferred and she agreed that the hearing Notice of Proposed Default should be rescinded and the hearing be rescheduled for February.

Karlene Francis Skaggs, RN, License No. 28077529A, Cause No. 2003 NB 0056

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

Peters/Jones, 7/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of five (5) years and ordered the Respondent to receive an examination from a Board certified Addictionologist and send a copy of the report to the Board.

Peters/Jones, 7/0/0

Angelene Summers, RN, License No. 28118500A, Cause No. 2002 NB 0108

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent is in an inpatient drug treatment center in the State of Michigan. She will be there for at least four (4) months. An agreement between the Respondent, her Counsel and the Attorney General's Office was presented to the Board by Sara Matticks, Deputy Attorney General. The agreement included INDEFINITE SUMMARY SUSPENSION without a time limit so that either party can request a hearing at any time to have the Summary Suspension lifted. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Peters/Jones, 7/0/0

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

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

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

Jones/Shook, 7/0/0

Since the January meeting, the Health Professions Bureau learned that the Respondent was in treatment. Mr. Holden has no objection to the Board rescinding the Notice of Proposed Default and reschedule for a final hearing. Laurie Peters, RN was consulted and agreed.

Kathleen Marie Ross, LPN, License No. 27030631A, Cause No. 2003 NB 0011

Respondent did appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent was arrested for obtaining a controlled substance fraudulently. She entered into a court ordered drug program in lieu of criminal charges being filed. She entered into Gallahue Mental Health program, which is also used by ISNAP. She currently is doing three (3) UDS a week and three group meetings per week. She will continue this for a three (3) month period and then will go to phase two of the program. Phase two includes two (2) UDS per week and two (2) group meetings per week. Upon successful completion of phase two she will move on to phase three (3), which includes one (1) UDS per week and one (1) group meeting per week. She also attends AA/NA meetings and reports to the Judge each week. Her sobriety date is April 12, 2003. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY the request for a Summary Suspension.

Peters/Jones, 7/0/0

Patricia M. Rzeszewski, RN, License No. 27031498A, Cause No. 2003 NB 0139

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent was ordered to contact ISNAP at the November 2003 Board meeting. She did an initial contact and ISNAP has not heard from her since. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Helmuth, 7/0/0

At the request of Sara Matticks, Deputy Attorney General, the Board agreed to hear additional evidence to consider an unscheduled summary suspension. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 7/0/0

After the completion of this hearing and late in the afternoon the Respondent appeared in person. She indicated to the Board that she was lost and it took her over three (3) hours for find her way to the building. After discussion the Board agreed to DISMISS their previous findings and allow the Respondent to have her hearing.

CONSENSUS

Let the record reflect that Traci Little and Carolyn Slagle were in attendance for this hearing.

Donna Goch, Program Director with ISNAP was sworn in as a witness for the State. Ms. Goch testified that the Respondent signed a contract with ISNAP after she tested positive on a pre-employment drug test. The Respondent did not comply with her ISNAP contract and eventually her contact was closed due to non-compliance. The Respondent then had a hearing with the Board in November 2003. The Respondent agreed to get back in compliance with ISNAP at that time. Ms. Goch indicated that since that hearing they have not heard from the Respondent. The Respondent informed the Board that after that meeting she joined a relapse prevention program with Addiction Treatment Center in South Bend. She goes two (2) times per week. She informed the Board that she thought after the last meeting that she just need to get into a program she did not realize it need to be ISNAP. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of forty-five (45) days and ordered the Respondent to be evaluated by ISNAP and if deemed necessary to sign a contract and be in compliance within the forty-five (45) day period. At the end of the forty-five (45) days the Respondent's license will automatically be placed on INDEFINITE PROBATION for the length of her ISNAP contract.

Peters/Jones, 9/0/0

Let the record reflect that Traci Little and Carolyn Slagle, RN left the meeting to conduct Personal Appearances.

Vicki Lynn Gerkin, LPN, License No. 27030631A, Cause No. 2003 NB 0122

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

Peters/Helmuth, 7/0/0

At the request of Mr. Holden, the Board agreed to hear the State's witness. Ms. Sue Brown, R.N., was sworn in to testify for the State. Ms. Brown testified that the Respondent had access to the ER stock med room at Bloomington Hospital and they had drugs missing. She also informed the Board that during a five (5) day period when the Respondent was not at work, all drugs were accounted for. Upon her return they had drugs missing. They decided to place a hidden camera in the med room. They have on tape the Respondent putting drugs in her pocket. At a later time you can see her taking what looks like drugs from her pocket and placing it in her purse, which was also housed in the med room. The Respondent was terminated on July 26, 2001. Mr. Holden also informed the Board that the Respondent has committed renewal fraud. She completed her renewal application after she was terminated and failed to report it on her renewal application. At the Board's request, Mr. Holden requested that the Respondent's license be placed on Summary Suspension. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Dye, 7/0/0

Debra Lyn Patton, LPN, License No. 27038276A, Cause No. 2003 NB 0120

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Salli Christenson, Case Manager with ISNAP was sworn in as a witness for the State. The Respondent is on Criminal Probation until April 2004 and she admits that she is an Alcoholic. Ms. Christenson testified that the Respondent's contract with ISNAP was closed for major non-compliance. The Respondent has not done any UDS and she also took a job without consulting ISNAP for approval. Ms. Christenson also testified that ISNAP couldn't verify if the Respondent is safe to practice. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of ninety (90) days and ordered the Respondent to be evaluated with ISNAP and sign a contract if deemed necessary and to stay in compliance with said contract.

Peters/Shook, 6/1/0, with Ms. Jones Objecting

Let the record reflect that Laurie Peters, RN recused herself from the following hearing.

Tina Casteel, RN, License No. 28132699A, Cause No. 2001 NB 046

Respondent did appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Salli Christensen, Case Manager with ISNAP was sworn in as a witness for the State and Kim Myers was sworn in as a witness for the Respondent. Ms.

Christensen testified that the Respondent has had two (2) positive drug screens and several that were considered diluted. She has failed to get them three (3) different times. Salli also testified that the Respondent is currently working and did pass controlled substances while at work which is in violation of her contract. Ms. Casteel informed the Board that her Daughter had given her a Darvocet in place of the naprosyn she requested. The Darvocet was from her Daughter's prescription. Ms. Casteel also informed the Board that she did pass two controlled substances while at work. A crisis had occurred and she was stuck in the middle, she had to give out the two controlled substances or the patient would not receive their medication. Ms. Myers testified that she is the Respondent's work site monitor and that she was placed in a difficult situation during the crisis. The Facility has now implemented policy so that she will not be placed in this situation again. Ms. Myers also informed the Board that the facility also does random drug screens and Ms. Casteel had a UDS on December 3, 2003 and it was negative. She also informed the Board that the Respondent has shown no indication of impairment. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board ordered the Respondent to be evaluated by ISNAP and if deemed necessary to sign a contract with and be in compliance with ISNAP. They further moved to AMEND her existing INDEFINITE PROBATION to run consecutively with her ISNAP contract.

Helmuth/Valentino, 6/0/0

Let the record reflect that Mervin Helmuth, RN left the meeting to participate in a conference hearing.

Linda L. Jones, LPN, License No. 27021210A, Cause No. 2004 NB 0013

Respondent did not appear and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Ms. Richardson was sworn in as a witness for the State. Ms. Richardson testified that the Respondent had been assigned to her facility. She found the Respondent standing outside a patient's room and she had been there for at least two (2) hours. She asked the Respondent to leave the facility based upon her actions and the way the Respondent looked. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 6/0/0

Let the record reflect that by the end of the following hearing Mervin Helmuth, Carolyn Slagle and Traci little were back in attendance.

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

Respondent did appear in person and was represented by Steven Johnsonbaugh regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana

was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Michelle Hardy was sworn in as a witness for the State. On December 23, 2003 the Respondent asked another Nurse to inject him with 50ml of Phenergan for his nausea. The Nurse saw that the Respondent was indeed sick so she gave him 25ml of Phenergan. The Respondent passed out and 911 was called. The Respondent refused treatment. His wife was called and was suppose to take him to the Hospital for a urine drug screen. He did not show up at the hospital for the drug screen, he went home. The Respondent indicated he signed a release with the medics because he did not have insurance to cover the ambulance. The Respondent told the Board that he signed a contract with ISNAP on January 15, 2004. He admitted that he has a chemical dependency problem with alcohol and hydrocodone. He also told the Board that he initially contacted ISNAP on January 10, 2004 and he consumed Alcohol on January 11, 2004 and hydrocodone on January 12, 2004. He also informed the Board that he has been taking hydrocodone since 1997 and has obtained it by prescriptions and purchasing it off the streets. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Shook, 6/0/3, with Ms. Little, Mr. Helmuth and Ms. Slagle Abstaining
Let the record reflect that Mervin Helmuth, RN, Carolyn Slagle, RN and Traci Little were out for the following hearings.

Shannon Rae Simmons, RN, License No. 27038030A, Cause No. 2001 NB 070

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Donna Goch, Director of ISNAP was sworn in as a witness for the State. Ms. Goch testified the Respondent's contract with ISNAP was closed due to non-compliance. Ms. Goch indicated to the Board that the Respondent has been non-compliant in several areas of her contract and they cannot determine her safety to practice. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Shook, 6/0/0

The Board further moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 6/0/0

Nicholas G. Gatton, RN, License No. 28119174A, Cause No. 2003 NB 0128

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Tina Richards, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. A settlement agreement between the Respondent and the Attorney

General's Office was presented to the Board by Tina Richards, Deputy Attorney General. The settlement included INDEFINITE PROBATION to run consecutively with the Respondents ISNAP contract. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

Peters/Jones, 6/0/0

Pamela Sue Davis, RN, License No. 28096953A, Cause No. 2003 NB 0186

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

Jones/Shook, 6/0/0

Michelle R. Alvarez, RN, License No. 28154916A, Cause No. 2003 NB 0147

Respondent was not present and was not represented by counsel regarding a Settlement Agreement scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by Barclay Wong, Deputy Attorney General. The settlement included a LETTER OF REPRIMAND for the renewal fraud and INDEFINITE PROBATION for a period of five (5) years. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

Peters/Jones, 6/0/0

Patricia Peavley, LPN, License No. 27018424A, Cause No. 2004 NB 0022

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. This hearing was scheduled because the Respondent was non-compliant with her ISNAP contract. Prior to the hearing the Respondent contacted ISNAP and has provided what was necessary to come back into compliance with her ISNAP contract. Kate Sinn, Deputy Attorney General recommended to the Board that this matter should be dismissed. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DISMISS this matter.

Peters/Dye, 6/0/0

Let the record reflect that Mervin Helmuth, RN, Carolyn Slagle, RN and Traci Little returned to the meeting for the following hearings.

Diana Kay Van Winkle, LPN, 27030123A, Cause No. 2004 NB 0019

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent's ISNAP case was closed due to non-compliance. Prior to this hearing the Respondent has contacted ISNAP and is in the process of signing a new contract. Kate Sinn, Deputy Attorney General recommended that this matter be dismissed. After having considered the evidence presented and taking official notice of its file in the matter the Board moved to DISMISS this matter.

Peters/Shook, 8/0/1, with Ms. Little Abstaining

Julie M. Anderson, RN, License No. 28142547A, Cause No. 2003 NB 0166

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing and Application for Renewal scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by Barclay Wong, Deputy Attorney General. The settlement included INDEFINITE PROBATION for a period of three (3) years and the Respondent must be evaluated by ISNAP and sign a contract if deemed necessary. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

Peters/Jones, 9/0/0

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

Peters/Jones, 9/0/0

Ernestine Garza (Moore), RN, License No. 28107456A, Cause No. 2003 NB 0101.

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Barclay Wong, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Jennifer Knoll, HFA, RN and Laura Lawson were sworn in as witnesses for the State. Ms. Knoll testified that the Respondent worked in her facility. During her time there it was documented that the Respondent saw that a patient had fallen and she did not attend to the patient. It was also documented that the Respondent was outside sitting on the window ledge banging her head against the window. The Respondent was let go at this facility due to her actions. Ms. Lawson testified that she worked with the Respondent at Rule Health Care. It was noted that the Respondent had many problems at this facility some of which included: Medications not given to Residents; orders not prescribed correctly; medications not signed out and charting not

done. The Respondent was also terminated from this facility. The Respondent informed the Board that she was overwhelmed at these facilities and she had done the best that she could. She has realized that she cannot work in this type of Nursing and has obtained a position with a much smaller patient load and has a more quiet/relaxing setting. After having considered the evidence presented, testimony of the witnesses and taking official notice of its file in this matter the Board moved to issue a LETTER OF REPRIMAND.

Jones/Shook, 9/0/0

Diane McKee, RN, License No. 28098761A, Cause No. 2003 NB 0165

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by James Holden, Deputy Attorney General. The settlement included INDEFINITE PROBATION for a period of three (3) years and the Respondent must be evaluated by ISNAP and sign a contract if deemed necessary. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

Peters/Helmuth, 9/0/0

Angela Griffin, LPN, License No. 27038214A, Cause No. 2003 NB 0076

Respondent did appear in person and was represented by Cindy Gillis regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent neglected to initiate emergency measures when she found a resident that had stopped breathing. The Respondent indicated that she immediately called for the Charge Nurse and coded the resident. The Charge Nurse was there in a matter of seconds and told the Respondent that the Resident was too far-gone to start resuscitation. The patient was cool to the touch and showed no vital signs at all. It was determined that the resident had been deceased for a while. The Respondent has been taking care of one patient in their home for the past three (3) years and has never had any other complaints about her work. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DISMISS this matter.

Peters/Jones, 9/0/0

Linda Haislup, RN, License No. 28079933A, Cause No. 2003 NB 0138

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by Shelley Johnson, Deputy Attorney General. The settlement included to RENEW the

SUMMARY SUSPENSION for a period of six (6) months. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

Peters/Shook, 9/0/0

Sherrill A. Everman, RN, License No. 28155017A, Cause No. 2004 NB 0021

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Salli Christenson, Case Manager with ISNAP and Joyce Vogler, CEO of Select Hospital were sworn in as witnesses for the State. Ms. Christenson testified that the Respondent was advised not to return to work by ISNAP. She ignored their recommendations and returned to work. Her ISNAP contract has been closed for non-compliance. Ms. Christenson indicated to the Board that after the Respondent returned to work against their recommendation they received word from her employer that she had diverted hydrocodone. Ms. Christenson said they couldn't establish her safety to practice. Ms. Vogler testified to the Board that the Respondent was found asleep on her shift, so they transferred her to the day shift to monitor her. While being monitored at one point the Respondent agreed to a search of her person. They found Benadryl and needles in her bag. They confronted the Respondent and she admitted she took the items from the hospital. She was arrested and terminated. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Helmuth/Valentino, 9/0/0

Melanie Campbell Bunting, RN, License No. 28144269A, Cause No. 2002 NB 0137

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

Peters/Helmuth, 9/0/0

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

Peters/Helmuth, 9/0/0

Kimberly Kay Thompson, LPN, License No. 27047748A, Cause No. 2004 NB 0020

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was

represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent is addicted to hydrocodone. She was non-compliant with her ISNAP contract before it was even completed. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 9/0/0

Steve William Hoback, RN, License No. 28119247A, Cause No. 2002 NB 0091

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

Peters/Slagle, 9/0/0

After discussion the Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) months and ordered the Respondent to receive an examination from a Board certified Psychiatrist and further ordered the Respondent to be evaluated by ISNAP and to sign a contract if deemed necessary.

Peters/Helmuth, 9/0/0

Let the record reflect that Laurie Peters, RN was not in attendance for the following hearing.

Malinda M. Smith, RN, License No. 28111529A, Cause No. 2001 NB 0097

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Donna Goch, Director of ISNAP was sworn in as a witness for the State. Ms. Goch testified that the Respondent was order by the Board to be evaluated and sign a contract if deemed necessary by ISNAP. As of this hearing the Respondent has not signed a contract. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Helmuth/Shook, 8/0/0

Let the record reflect that Laurie Peters, RN returned to the meeting and Mervin Helmuth, RN left the meeting for the following hearing.

Evelyn Barr, LPN, License No. 27016747A, Cause No. 2003 NB 0121

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent tested positive on a pre-employment UDS for Marijuana, Cocaine and Demerol. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Jones, 7/0/1, with Ms. Valentino Abstaining

After discussion the Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year and ordered the Respondent to receive an examination from a Board certified Addictionologist and send a copy of the report to the Board.

Peters/Shook, 7/0/1, with Ms. Valentino

Let the record reflect that Traci Little and Carolyn Slagle, RN left the meeting for the following appearances.

PERSONAL APPEARANCES

ENDORSEMENT APPLICANTS

Patricia Davis, RN – Applicant appeared in person and was not represented by counsel regarding a positive response on her endorsement application. Ms. Davis informed the Board that she is addicted to narcotics due to chronic back pain. In 2001 she signed an Agreed Order with the State of Kentucky. In May 2001, she received her Kentucky license back on Probation. She has completed a drug treatment program and shares her story with the students at St. Vincent Depauw. She informed the Board that she wants to work in Dialysis. After discussion the Board moved to issue the applicant a license on PROBATION for the length of her Kentucky probation.

Peters/Helmuth, 7/0/0

Rebecca Jean Davis, RN – Applicant appeared in person and was not represented by counsel regarding a positive response on her endorsement application. Ms. Davis informed the Board that she was among twenty-five nurses that were terminated by Floyd Memorial for practicing out of their scope of practice. She told the Board that it was an unwritten policy at the Hospital for the Nurses to use Deporvan without a Doctor's order and they also did not document it in the chart. According to Ms. Davis this practice had been going on for years. She indicated that somehow the public found out and it was in all the newspapers and the Hospital then terminated all twenty-five Nurses that knew or participated in this practice. She will have a hearing in Kentucky on February 9, 2004. After discussion the Board moved to TABLE this matter until after the Kentucky hearing.

The Board also moved to renew the applicant's temporary permit until her next hearing with the Board.

Peters/Jones, 7/0/0

RENEWAL APPLICANTS – Recommended by Traci Little and Carolyn Slagle, RN

Alvin Leonard Miller, RN, License No. 28117428A

- Approved for Renewal on Agreed Probation

Terri L. Inman, RN, License No. 28125554A

- Did not Appear - Board Denied Renewal

Cathy Manchette, RN, License No. 28125402A

- Approved for Renewal on Agreed Probation for ninety (90) days and applicant must contact ISNAP and be evaluated and sign a contract if deemed necessary

Karen Zielinski, RN, License No. 28151880A

- Approved to Renew

Kimberly Jo Burton, RN, License No. 28135998A

- Approved to Renew

Linda Jean Busch, RN, License No. 28061836A

- Approved to Renew

Charles Edwin Jackson, RN, License No. 28085519A

- Did not Appear – Renewal Denied

Marvin Dean Bowyer, RN, License No. 28125219A

- Did not Appear – Renewal Denied

Debra Lee Houdek, RN, License No. 28083046A

- Approved to Renew

Nadine M. Olinger, RN, License No. 28106888A

- Did not Appear – Renewal Denied

Julie A. Quenneville, RN, License No. 28089752A

- Approved to Renew

Thomas Joseph Riall, RN, License No. 28150391A

- Approved to Renew

Robbin Renee Ricketts, RN, License No. 28096014A

- Agreed Neither Renew nor Deny but refer to the AG's Office for further investigation

Suzanne Yvette Britt, RN, License No. 28101919A

- Approved on Agreed Probation for six (6) months and must be evaluated by ISNAP and sign a contract if deemed necessary

Jane Lynn Carter, RN, License No. 28094770A

- Agreed Neither Renew nor Deny but refer to the AG's Office for further investigation

Marion Wayne Gentry, RN, License No. 28133372A

- Approved to Renew and refer to the AG's Office for an investigation

Cynthia Irene Sibincic, RN, License No. 28087509A

- Tabled

Wanda Elaine Cox, LPN, License No. 28087509A

- Did not Appear – Renewal Denied

Kristi Sue McKenzie, LPN, License No. 27045214A

- Approved on Agreed Probation for ninety (90) days and must be evaluated by ISNAP and sign a contract if deemed necessary within the ninety days

Penny Souders, RN, License No. 28148455A

- Neither Renew nor Deny but Refer to the AG’s Office for an Investigation

Melanie Lea Wiseman, RN, License No. 28144783A

- Did not Appear – Renewal Denied

Patricia E. Gill, RN, License No. 28084736A

- Neither Renew nor Deny but Refer to the AG’s Office for an Investigation

Let the record reflect that Mervin Helmuth, RN was not in attendance for the following renewal applications.

RENEWAL APPLICATIONS

Shannon Lee Bischoff, RN – Applicant was ordered to be evaluated by ISNAP and sign a contract if deemed necessary at a previous personal appearance hearing. This process was to be completed by the January meeting. The applicant has not signed a contract. After discussion the Board moved to DENY the RENEWAL.

Peters/Jones, 6/0/2, with Ms. Little and Ms. Slagle Abstaining

Ms. Bischoff contacted the Health Professions Bureau a few days after the January meeting and indicated that she had signed a contract with ISNAP. This was confirmed by Salli Christenson. Ms. Peters was conferred and she rescinded the denial and requested approval.

Rebecca L. Isenberg, RN – Applicant was ordered to be evaluated by ISNAP and sign a contract if deemed necessary at a previous personal appearance hearing. The Applicant has been evaluated by ISNAP and is in the process of signing a contract. After discussion the Board moved to APPROVE for RENEWAL.

Peters/Jones, 6/0/2, with Ms. Little and Ms. Slagle Abstaining

Marcia Ann Lathram, RN – Applicant has chronic pain issues and did not appear. After discussion the Board moved to DENY the RENEWAL.

Peters/Jones, 6/0/2, with Ms. Little and Ms. Slagle Abstaining

Donald Rowe, RN – Applicant submitted a request to withdraw his renewal application. After discussion the Board moved to APPROVE the WITHDRAWAL.

Peters/Jones, 6/0/2, with Ms. Little and Ms. Slagle Abstaining

Donitta K. Sindors, RN – Applicant was ordered to be evaluated by ISNAP and sign a contract if deemed necessary at a previous personal appearance hearing. The Applicant has been evaluated by ISNAP and has signed the contract. ISNAP is waiting for its arrival in the mail. After discussion the Board moved to APPROVE for RENEWAL.

Peters/Jones, 6/0/2, with Ms. Little and Ms. Slagle Abstaining

Dorothy Ann Smith, LPN – Applicant was ordered to be evaluated by ISNAP and sign a contract if deemed necessary at a previous personal appearance hearing. This process was to be completed by the January meeting. The Applicant said she did not want to enroll in ISNAP. After discussion the Board moved to DENY the RENEWAL.

Peters/Jones, 6/0/2, with Ms. Little and Ms. Slagle Abstaining

Tamara Lyn Wooten, RN – Applicant was ordered to be evaluated by ISNAP and sign a contract if deemed necessary at a previous personal appearance hearing. This process was to be completed by the January meeting. The Applicant has not contacted ISNAP at this point. After discussion the Board moved to DENY the RENEWAL.

Peters/Jones, 6/0/2, with Ms. Little and Ms. Slagle Abstaining

There being no further business the meeting adjourned at 9:10 p.m.

Laurie Peters, R.N., President

Darla Jones, L.P.N., Secretary