

INDIANA STATE BOARD OF NURSING

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

MINUTES OF JANUARY 16, 2003

Marsha M. King, R.N., President, called the meeting to order at 8:40 a.m. and declared a quorum in accordance with IC 25-23-1-5.

Members Present: Marsha M. King, R.N., President
Laurie Peters, R.N., Vice President
Darla Jones, L.P.N., Secretary
Janis Shook, L.P.N., Member
Maurene Thomas, R.N., Member
Carolyn Slagle, R.N., C.N.S., Member
Traci Little, Consumer Member

Member Absent: Mervin Helmuth, R.N., Member

Staff Present: Kristen Kelley, Board Director
Health Professions Bureau
Jody Edens, Assistant 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.

Peters/Jones, 6/0/0

The Board voted to accept the minutes of the December 12, 2002 meeting.

Jones/Peters, 6/0/0

INDIANA STATE NURSES ASSISTANCE PROGRAM

Tom Bissonette, Program Director of the Indiana State Nurses Assistance Program (ISNAP) was present. There are a total of 299 nurses being actively monitored. Tom reported to the Board that the intake numbers continue to be high and the increase in

non-compliant closures and relapses also continues to be high. He also informed the Board that the educational outreach remains a high priority. Tom informed the Board that it is time to initiate preliminary discussions relating to ISNAP contract renewal.

DISCUSSION

Revision of Advanced Practice Nurse Rules Regarding Pharmacology Requirement

The Board discussed revising the pharmacology requirement that now exists in the Advance Practice Nurse rules. Marsha Plant Jackson with the Coalition of Advanced Practice Nurses was also present and spoke to the Board concerning the pharmacology requirements. She offered to help the Board in any way she could with the revision. The Board requested that Kristen Kelley file a notice of intent to begin rule promulgation.

King/Peters, 7/0/0

Correspondence from Nikki Pavlides – FYI

New NCLEX examination format – FYI - The Board requested that Kristen Kelley inform all Schools about the new exam format.

Nurse Appreciation – Laurie Peters, Vice President presented the project to the Board. It is called the Shining Stars of Healthcare and has been initiated by the Indianapolis Star. The object is to provide a retention tool for healthcare organizations as well as a positive outlet for feedback and encouragement for nursing professionals in the communities they serve. They have invited the Board to be judges in this project and to attend a banquet in May. The Board members indicated that they look forward to participating in this project and thanked the Indianapolis Star for initiating it.

EDUCATION

The Board reviewed and approved by **CONSENSUS** the following LPN programs Annual Reports

- Ivy Tech State College – Evansville
- Ivy Tech State College – Bloomington
- Ivy Tech State College – Lafayette
- Ivy Tech State College – Valparaiso
- J. Everett Light Career Center
- Vincennes University – Jasper Campus

PERSONAL APPEARANCES

EXAMINATION APPLICANT

Michelle B. Tajera – Ms. Tajera appeared before the Board concerning a positive response on her examination application and was not represented by counsel. Ms. Tajera

had two (2) DUI's within a two (2) year period. Her first was in December 1999 and the second in October 2000. She informed the Board that she attends AA once a week and her sobriety date is October 7, 2000. After discussion the Board moved to **APPROVE** Ms. Tajera to take the NCLEX examination and upon successful completion she must make a Personal Appearance before licensure.

ENDORSEMENT APPLICANT

Lorraine Ann Ambrose – Ms. Ambrose did not appear concerning a positive response on her endorsement application. This will be rescheduled for the February meeting.

RENEWAL APPLICANTS

The following personal appearance was continued.

Dorothy Ann Smith, LPN, 27031806

The following personal appearances were conducted by board member, Traci Little, Consumer Member and approved by the full Board by CONSENSUS.

Jacqueline Theobald, LPN, 27024577 – Approved for renewal

Julie Ann Halcomb, LPN 27036818 – Agreed to renew on Probation with terms and conditions

Shari Leigh Stewart, LPN, 27038490 – Approved for renewal

Deborah Lynn Lahti, LPN, 27044398 – Agreed to renew on Probation with terms and conditions

The following personal appearances were conducted by the full Board and approved by CONSENSUS.

Cynthia Marvene Davies, LPN, 27038292 – Approved for renewal

Mona Lisa Beard, LPN, 27037679 – Neither renew nor deny but refer to AG's office for investigation

Philip Clay English, LPN, 27031178 – Agreed to renew on Probation with terms and conditions

The following personal appearance failed to appear before the Board for the second time. The Board moved to DENY her renewal by CONSENSUS.

Veronica Carol Bent, LPN, 27045611

ADMINISTRATIVE HEARINGS

The following administrative hearings were continued.

Eula Mae Moore, LPN, License No. 27024679, Cause No. 2002 NB 062

Dawn L. Clabaugh, LPN, License No. 27039995, Cause No. 2002 NB 072
Melinda L. Sparks, RN, License No. 28036920, Cause No. 2002 NB 071

Let the record reflect that Traci Little, Consumer Member was out of the room conducting personal appearances.

Judith A. Bania, LPN, License No. 27031005, Cause No. 2003 NB 0006

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 Linda Merkl. The Respondent is non-compliant with her ISNAP contract. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days and ordered the Respondent to receive an addictionology examination by a Board Certified Addictionologists and submit a copy of the results to the Board.

King/Thomas, 6/0/0

Courtney Anne Berndt, RN, 28138495, Cause No. 2001 NB 043

Respondent did appear in person and her father, David Dale, Attorney at Law, was also in attendance but did not represent her, 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 Linda Merkl. Tom Bissonette was sworn in as a witness to testify for the State. The Respondent's contract with ISNAP has been terminated due to non-compliance and the fact that the Respondent forged a drug screen. Her sobriety date is November 2, 2002. After having considered the evidence presented, the testimony of the witness and taking official notice of its file in this matter the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year and ordered the Respondent to receive an examinations by a Board Certified Addictionologists and a Board Certified Psychiatrist prior to requesting reinstatement. The vote failed to pass.

King/Jones, 3/3/0, with Ms. Peters, Ms. Thomas and Ms. Slagle objecting

After further discussion, the Board again voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of two (2) years and ordered the Respondent to receive examinations by a Board Certified Addictionologists and Board Certified Psychiatrist prior to requesting reinstatement.

Peters/Slagle, 4/2/0, with Ms. King and Ms. Jones objecting

Let the record reflect that Traci Little, Consumer Member returned to the meeting.

Hugh Elliott Lanier, RN, License No. 28145137, Cause No. 2001 NB 095

Respondent did appear in person and was not represented by counsel regarding a Request to Withdraw the Order of Probation scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. The Respondent told the Board that he is currently in a pretrial diversion program until May 2003. He was arrested for possession of Marijuana. He told the Board that he was growing Marijuana only for his occasional use. The Respondent received an evaluation by a Board Certified Addictionologists. The Addictionologists indicated in the report that the Respondent was not an addict. He was discharged from ISNAP upon his successful completion of the program on December 5, 2002. His sobriety date is July 2001. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to GRANT the WITHDRAWAL of PROBATION.

King/Jones, 7/0/0

Yvonne M. Fernandez, RN, License No. 28132637, Cause No. 2001 NB 079

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Agreed Order 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 Linda Merkl. A settlement agreement between the Respondent and the Office of the Attorney General was presented to the Board by Barclay Wong, Deputy Attorney General. The settlement included INDEFINITE PROBATION for a period of three (3) years with terms and conditions. One specific condition was that the Respondent may not seek renewal of her license for a period of six (6) 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.

King/Thomas, 6/0/1, with Ms. Little abstaining

Erma J. Lester, LPN, License No. 27040963, Cause No. 2001 NB 089

Respondent did appear in person and was represented by Joan Isaacs Wolfe regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. A settlement agreement between the Respondent, her Counsel and the Office of the Attorney General was presented to the Board by Ms. Johnson. 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 voted to ACCEPT the settlement agreement.

King/Shook, 7/0/0

Susan White Smith, RN, License No. 28149221, Cause No. 2002 NB 022

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 Linda Merkl. Vicki VanCleave and Ruthanne Burris were sworn in as witnesses to testify for the State. Respondent's contract with ISNAP was closed due to non-compliance. Ms. VanCleave testified that she spoke with the Respondent after her drug screen and told the Board that the Respondent admitted to her that she diverted drugs from Clarian. After having considered the evidence presented, the testimony of the witnesses and taking official notice of its file in this matter the Board voted to issue a NOTICE OF PROPOSED DEFAULT.

King/Peters, 7/0/0

The Board further voted to renew the SUMMARY SUSPENSION for a period of ninety (90) days and ordered the Respondent to receive an addictionology examination by a Board Certified Addictionologists and submit a copy of the results to the Board.

King/Jones, 7/0/0

Malinda M. Smith, RN, License No. 28111529, Cause No. 2002 NB 0097

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 Jim Holden, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. A settlement agreement between the Respondent and the Office of the Attorney General was presented to the Board by Mr. Holden. The settlement included INDEFINITE PROBATION for a period of five (5) years with terms and conditions. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

King/Jones, 7/0/0

Let the record reflect that Marsh King, President did not participate in the following hearing.

Lynne Carol Pompetti, RN, CNS, License No. 28152698, Cause No. 2002 NB 0125

Respondent did appear in person and was not represented by counsel regarding a Petition for Review of the Board's Denial of Application for Prescriptive Authority as an Advanced Practice Nurse. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter was Linda Merkl. Ms. Pompetti presented all of her educational documents regarding pharmacology to the Board for their review. After having considered the documents presented and taking official notice of its file in this matter the Board voted to GRANT the Respondent's request for Prescriptive Authority as an Advanced Practice Nurse.

Peters/Thomas, 6/0/0

Bridgett Bonita McGhee, LPN, License No. 27043336, Cause No. 2002 NB 0123

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 Jim Holden, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. The Respondent admitted to the Board that she purchased a Registered Nurse license and transcript in order to upgrade her position of employment. She indicated to the Board that she clocked in as a Registered Nurse and went out onto the floor but didn't actually practice as a Registered Nurse as she turned herself in to her place of employment. She was charged with and pled guilty to a class D felony, fraudulent use of documents. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of five (5) years.

Peters/Thomas, 6/0/1, with Ms. Jones abstaining

Let the record reflect that Traci Little, Consumer Member and Darla Jones, Secretary left the meeting.

Patricia Helena Allen, RN, License No. 28141120, Cause No. 2002 NB 0107

a/k/a/ Patricia Helena VanZandt, RN

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 Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. Vicki Endicott was sworn in as a witness for the State. Ms. Endicott testified that the Respondent admitted to her during an investigation that she diverted the 149 Lortabs that were missing. The Respondent's contract with ISNAP was also terminated due to non-compliance. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board voted to issue a NOTICE OF PROPOSED DEFAULT.

King/Peters, 5/0/0

The Board further voted to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days and ordered the Respondent to receive an addictionology examination by a Board Certified Addictionologists and submit a copy of the report to the Board.

King/Peters, 5/0/0

Let the record reflect that Maurene Thomas left for the day.

Darlene Joy Free, RN, License No. 28079154, Cause No. 2002 NB 0110

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 Rene Gallagher, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. A settlement agreement between the Respondent and the Office of the Attorney General was presented to the

Board Ms. Gallagher. The settlement included INDEFINITE PROBATION to run concurrent with the length of her ISAP 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.

King/Peters, 4/0/0

Alan Hall Charlet, LPN, License No. 27035411, Cause No. 2002 NB 0096

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. Respondent did submit a request for a continuance but this request was denied by the Board. The State of Indiana was represented by Jim Holden, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to issue a NOTICE OF PROPOSED DEFAULT.

King/Jones, 4/0/0

At the request of Mr. Holden, the Board agreed to hear the State's witness. Sworn in to testify was Roxanne Eubanks, DON. Ms. Eubanks testified that the Respondent gave unauthorized medication to two (2) patients so that the patient would sleep for a while. The Board thanked the witness for her testimony.

Let the record reflect that Darla Jones, Secretary returned to the meeting.

Deborah Sue Roberts, LPN, License No. 27033325, Cause No. 2002 NB 053

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 Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. Tom Bissonette was sworn in as a witness for the State. Mr. Bissonette testified that the Respondent's contract with ISNAP was terminated due to having two (2) positive drug screens after the Respondent indicated she had stopped taking the Darvocet that was prescribed to her. Respondent indicated to the Board that she is currently not working and that she cannot explain why she had two (2) positive drug screens. She indicated to the Board that she did stop taking the Darvocet when ISNAP informed her to stop. After having considered the evidence presented, the testimony of the witness and taking official notice of its file in this matter the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year.

King/Jones, 5/0/0

Minnie Lee Williams, LPN, License No. 27019960, Cause No. 2002 NB 058

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 Shelley Johnson, Deputy Attorney General and the

court reporter sworn in for this matter was Linda Merkl. Dorothy Torrence, RN was sworn in as a witness to testify for the State. Ms. Torrence testified to the Board that the Respondent failed to do documentation on several patients' medication charts. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board voted to DISMISS the complaint filed by the state and to RENEW the license of the Respondent.

King/Jones, 5/0/0

Deborah Lynn Clark, LPN, License No. 27016875, Cause No. 2002 NB 0109

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 Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. A settlement agreement between the Respondent and the Office of the Attorney General was presented to the Board by Kate Sinn, Deputy Attorney General. The settlement included RENEWAL of the SUMMARY SUSPENSION up to and including February 20, 2003. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

King/Peters, 5/0/0

Kimberly Malsom, RN, License No. 28136500, Cause No. 2002 NB 0084

Respondent did appear in person and was represented by Daniel Zielinski for a Disciplinary Hearing/Renewal of 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 Linda Merkl. A settlement agreement between the Respondent, her Counsel and the Office of the Attorney General was presented to the Board by Kate Sinn, Deputy Attorney General. The settlement included INDEFINITE PROBATION for a period of two (2) years. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to ACCEPT the settlement agreement.

King/Peters, 4/0/1, with Ms. Jones abstaining

Vickie W. Francus, RN, License No. 28122506, Cause No. 2002 NB 0095

Respondent did not appear in person and was represented by Gordon Engle regarding a Settlement Conference scheduled before the Board. The State of Indiana was represented by Jim Holden, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. The settlement included a LETTER OF REPRIMAND and a \$500.00 FINE payable within ninety (90) days. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to ACCEPT the settlement agreement.

King/Jones, 5/0/0

Phyllis Kay Woolsey, LPN, License No. 27046947, Cause No. 2002 NB 058

Respondent did appear in person and was represented by Michael Kendall regarding a Disciplinary Hearing and Application for Renewal scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. William Carter Jr. and Lisa Downen were sworn in as witnesses for the State. Mr. Carter testified that the Respondent forced a pill down a patient's throat because the patient was refusing to take her medication. He indicated that she used vulgar language toward the residents and was rude to them. He also indicated that the State Board of Health fined his facility because the facility did not protect the residents from the Respondent. Ms. Downen testified to the Respondent's use of vulgar language towards the residents and that she also called them names such as "hubba bubba".

After five hours of hearing this case, the Board moved to CONTINUE the hearing until the March 2003 meeting.

CONSENSUS

The Board further moved to NEITHER RENEW NOR DENY the respondent's renewal but refer to the Attorney General's Office for additional investigation.

CONSENSUS

Melissa Anne McKinzie, RN, License No. 28113735, Cause No. 2002 NB 0062

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. The Respondent is non-compliant with her Order of Probation. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to hold the Respondent's license in DEFAULT.

King/Shook, 5/0/0

The Board further voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) years.

King/Peters, 5/0/0

James H. Saylor, LPN, License No. 27038051, Cause No. 2001 NB 052

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. The Respondent is non-compliant with his ISNAP contract. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to hold the Respondent's license in DEFAULT.

King/Jones, 5/0/0

The Board further voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) years.

King/Jones, 5/0/0

Linda Elaine Ballenger, LPN, RN, License No. 27039059 & 28137370, Cause No. 2002 NB 066

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

King/Peters, 4/0/1, with Ms. Slagle abstaining

The Board further voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) years.

King/Jones, 4/0/1, with Ms. Slagle abstaining

Donald Paul Graham, RN, License No. 28137370, Cause No. 2002 NB 0101

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

King/Jones, 5/0/0

The Board further voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) years.

King/Shook, 5/0/0

Chantima Ratanaproeck, RN, License No. 28144024, Cause No. 2002 NB 0104

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 Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. Detective Scott Nowland, Diversion Investigator was sworn in as a witness for the State. Detective Nowland testified that during his investigation he found that the Respondent had diverted Demerol from several places of employment. He also testified that there is an outstanding felony warrant for her arrest. After having

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

King/Shook, 5/0/0

Kimberly K. Foulks, RN, License No. 28136500, Cause No. 2002 NB 0084

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

King/Slagle, 5/0/0

The Board further voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) years.

King/Peters, 5/0/0

Ronda Beth Gardner, RN, License No. 28106469, Cause No. 2002 NB 0093

Respondent did appear in person and was represented by Bob Miller regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Jim Holden, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. The Respondent pled guilty to stealing money and drugs from her employer. She received an eighteen (18) month suspended sentence, and entered a drug treatment program. She has successfully completed both her probation and the drug treatment program. The Respondent told the Board her drug of choice was Lortab and her sobriety date is February 1999. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to place the Respondent's license on INDEFINITE PROBATION for a period of two (2) years with terms and conditions.

King/Jones, 5/0/0

Robert McMillian Weeks, RN, License No. 28130120, Cause No. 2003 NB 0007

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. Michele Meyer and Detective Scott Nowland were sworn in as witnesses for the State. Empty vials of Restoril and Demerol, along with swabs and needles were found in the Respondent's duffle bag. The Respondent was also seen sleeping while he was standing up. Detective Nowland testified that the Respondent has also diverted drugs from several facilities in the State of Illinois. After having considered the evidence presented, testimony of the witnesses and taking official notice of its file in this matter the Board voted to place the Respondent's license on

SUMMARY SUSPENSION for a period of ninety (90) days and order the Respondent to receive an addictionology examination by a Board Certified Addictionologists and submit a copy of the results to the Board.

Peters/Jones, 4/0/1, with Ms. King abstaining

Let the record reflect that Darla Jones, Secretary was out of the room for the following hearing.

Teresa Jo Hall, RN, License No. 28142751, Cause No. 2003 NB 0005

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. A settlement agreement between the Respondent and the Office of the Attorney General was presented to the Board by Shelley Johnson, Deputy Attorney General. The settlement included SUMMARY SUSPENSION for a period of ninety (90) days and an addictionology examination by a Board Certified Addictionologists. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to ACCEPT the settlement agreement.

King/Peters, 4/0/0

Kimberly Jane Sinclair, RN, License No. 28101974, Cause No. 2003 NB 0001

Respondent did appear in person and was represented by Stephen Sherman regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. The Respondent's attorney requested a CONTINUANCE. After discussion the Board moved to DENY the CONTINUANCE.

King/Peters, 5/0/0

Terry Rehm, RCP was sworn in as a witness for the State. Ramona McKenzie and Renita Freeman, RN were sworn in as witnesses for the Respondent. Ms. Rehm testified that she saw the Respondent slap the child on the arm six (6) to seven (7) times. She also testified that the Respondent pulled the patient up by the front of his pajamas from a laying position and placed a wedge behind him and then just let him drop back to a laying position. Ms. Rehm also testified that the patient seemed very upset and agitated. She also stated that she heard the Respondent call the child a brat. Ms. McKenzie testified that the Respondent had taken care of her two (2) year old daughter and that the Respondent was great with her daughter. Ms. Freeman testified that the Respondent cared for a foster child in her home and that she given the child great care and would allow the Respondent to take care of any future needs she might have. After having considered the evidence presented, the testimony of the witnesses and taking official notice of its file in this matter the Board voted to DENY the PETITION FOR SUMMARY SUSPENSION.

King/Jones, 5/0/0

ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS

The Board approved the following ALJ recommendations submitted by Celinda Kay Leach, R.N. from the December 3, 2003 meeting.

Rhonda Diane Allen, LPN
Deborah L. Hoy, RN
Rogetta Lou Applegate (Rutledge), LPN
Ruth Ann Scruggs, LPN, RN
Jane Holmes Collins, LPN
Patricia E. Gill, RN
Matthew Shaw, RN
Alan Zenthoeffer, RN
Sherri Ann Birmingham, RN
Rene A. Henderson, LPN
Jamie Lee Boles, LPN
Susan A. Kroll (Salts), RN
Janet Sue Lee, LPN

The Board amended the ALJ recommendation for Carolyn Whoolery, RN to include INDEFINITE PROBATION may not lift until Respondent has successfully completed her contract with ISNAP.

There being no further business the meeting adjourned at 1:05 a.m.

Marsha M. King, R.N., President

Darla Jones, L.P.N., Secretary