

INDIANA STATE BOARD OF NURSING

INDIANA GOVERNMENT CONFERENCE CENTER
ROOM C
302 WEST WASHINGTON STREET
INDIANAPOLIS, INDIANA 46204

MINUTES OF JANUARY 17, 2002

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 F. Peters, R.N., Vice-President Traci Little, Consumer Member Janice Shook, L.P.N., Member Mervin Helmuth, L.P.N., Member
Members Absent:	Maurene E. Thomas, R.N., Member Darla Jones, L.P.N., Secretary Linda Mann, R.N., Member
Staff Present:	Kristen Kelley, Board Director Health Professions Bureau Jody Edens, Assistant Director Health Professions Bureau Cara Snyder, Case Manager Health Professions Bureau Gordon White, Deputy Attorney General Health Professions Bureau

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

Peters/Helmuth, 5/0/0

The Board voted to accept the minutes of the December meeting as corrected.

Peters/Helmuth, 5/0/0

Kristen Kelley, Board Director notified the Board that Linda Mann, R.N., will be submitting her resignation as a Board Member.

INDIANA STATE NURSES ASSISTANCE PROGRAM

Tom Bissonette, Program Director of the Indiana State Nurses Assistance Program (ISNAP) appeared before the Board to present their second quarterly report. Of the 184 nurses actively being monitored, the average age is 41.7 years. There are 162 females and 22 males. 170 of those have active nursing licenses and 14 are on probation. The report also identifies the counties of residence, primary drugs of choice, practice settings and methods of referrals.

They are continuing their educational outreach. The staff at ISNAP visited five (5) nurse support groups and attended fifteen (15) educational meeting with Hospitals last quarter.

All nurses who were active participants in the ISNAP program prior to PRMC assuming responsibility for ISNAP, July 1, 2001 have transitioned to monitoring by PRMC.

EDUCATION

Anderson University – They submitted, for approval, a revised curriculum plan for the BSN degree. Changes in the general education curriculum require changes in the nursing program. Content within the courses has been updated and changed. Laurie Peters, R.N., indicated that it looks like a very solid program. After discussion, the Board voted to APPROVE the revised curriculum.

Peters/Helmuth, 5/0/0

Olympia College – The Board reviewed a letter from an anonymous faculty member who identified serious concerns about this program. The Board determined that a site visit would be appropriate. The Board requested that Paulette Worcester be contacted to do a site visit.

DISCUSSION

Pam Stokes, RN, LPN – The Board reviewed correspondence from Ms. Stokes requesting a hearing to reinstate her license. After discussion, the Board voted to schedule a hearing.

Peters/Shook, 5/0/0

Susan Kroll Salts – Appeared in Person and was represented by Deborah Albright regarding correspondence sent to the Board requesting the Board to reconsider and/or to end the suspension of Ms. Salts license. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General. The Board heard arguments from both sides. After discussion the Board voted to DENY the request to reconsider and/or end the suspension.

Peters/Helmuth, 5/0/0

Let the record reflect that Traci Little left the room to conduct personal appearances.

ADMINISTRATIVE HEARINGS

The following hearings were continued.

Lynelle Miller, RN, License No. 28074931, Cause No. 2001 NB 030
Nadine Sue Pearish, RN, License No. 28147530, Cause No. 2000 NB 023

Cynthia Charlene Thomas, RN, License No. 28145710, Cause No. 2001 NB 031

Respondent did not appear in person and was not represented by counsel regarding an Administrative 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 Lori Keen. After discussion the Board voted to issue a NOTICE OF PROPOSED DEFAULT ORDER

King/Shook, 4/0/0

At the request of the Ms. Johnson, the Board agreed to hear the State's witnesses. Those sworn in to testify for the State were Michelle Shank, R.N., Investigator Gary Schoon and Emily Deever.

Amy Michelle Bateman, LPN, License No. 27047619, Cause No. 2002 NB 003

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension & Motion for Order Compelling Addictionology Examination of the Respondent 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 Lori Keen. The Respondent's LPN license is currently on Probation. She was charged on November 30, 2001 with dealing narcotics and with neglect of a dependent. The State feels she is a clear and immediate danger to the public. 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 examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Peters, 4/0/0

Rhonda Diane Allen, LPN, License No. 27029403, Cause No. 2001 NB 077

Respondent did not appear in person and was not represented by counsel regarding an Administrative Hearing scheduled before the Board. The State of Indiana was represented by Shelette Alexander-Veal, 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 voted to issue a NOTICE OF PROPOSED DEFAULT ORDER.

King/Shook, 4/0/0

Brenda Sue Percifield, RN, License No. 28115710, Cause No. 2001 NB 037

Respondent did appear in person and was not represented by counsel regarding an Administrative Hearing, Petition for Summary Suspension and Motion for Order Compelling Addictionology Examination of the Respondent, scheduled before the Board. The State of Indiana was represented by Kimberly Brown, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent has had four (4) convictions for DUI and is currently participating in her third treatment program. She is involved in an AA/NA program with Fairbanks Hospital. 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 one (1) year with terms and conditions. After one (1) year the Respondent may seek reinstatement of her license.

King/Helmuth, 4/0/0

Susan Elaine Hall, LPN, License No. 27018462, Cause No. 2001 NB 038

Respondent did not appear in person and was not represented by counsel regarding an Administrative Hearing scheduled before the Board. The State of Indiana was represented by Shelette Alexander-Veal, Deputy Attorney General and the court reporter sworn in was Lori Keen. 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 ORDER.

King/Peters, 4/0/0

Barbara Ellen Snyder, LPN, License No. 27031476, Cause No. 2001 NB 069

Respondent did not appear in person and was not represented by counsel regarding an Administrative 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 Lori Keen. 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 ORDER.

King/Peters, 4/0/0

Thomas Eller, LPN, License No. 27045058, Cause No. 2001 NB 068

Respondent appeared in person and was represented by Carl Epstein regarding an Administrative 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 Lori Keen. Shelly Johnson, Deputy Attorney General and the Respondent came to an agreement prior to the hearing. The Respondent agreed to an Indefinite Suspension for a period of two (2) years and agreed to attend stress and anger management classes. After having considered the evidence presented and taking official notice of its file in this matter, the Board voted to ACCEPT the INDEFINITE

SUSPENSION for a period of two (2) years with terms and conditions. After two (2) years the Respondent may seek reinstatement of his license.

The Board further voted to order the Respondent to obtain an addictionology and psychiatric evaluation within ninety (90) prior to seeking reinstatement.

King/Shook, 4/0/0

Jenny Delaine Gillespie, LPN, License No. 27046908, Cause No. 2001 NB 032

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 Kimberly Brown, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent's file did not reflect proof of delivery of this notice. After discussion, the Board TABLED this hearing and requested that the notice be re-mailed to the Respondent and this hearing be rescheduled for February 2002.

CONSENSUS

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

Respondent did not appear in person and was not represented by counsel regarding an Administrative 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 Lori Keen. 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 ORDER.

King/Peters, 4/0/0

Marie Tenbarga Fischer, RN, License No. 28117376, Cause No. 99 NB 006

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 Shelette Alexander-Veal and the court reporter sworn in for this matter was Lori Keen. After discussion, the Board voted to hold the Respondent's license in DEFAULT ORDER.

King/Helmuth, 4/0/0

The Respondent has been on Probation with the Board since May 1999. The Respondent is non-compliant with the terms of her Probation and has been arrested recently. After having considered the evidence presented and taking official notice of its file in this matter, the Board further voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) years. After three (3) years the Respondent may seek reinstatement of her license.

King/Peters, 4/0/0

Maureen A. Fogarty, RN, License No. 28128594, Cause No. 2001 NB 025

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 voted to hold the Respondent's license in DEFAULT.

King/Shook, 4/0/0

The Respondent's license in the State of Washington has been suspended due to non-compliance of her probationary license. After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of five (5) years. After five (5) years the Respondent may seek reinstatement of her license.

King/Helmuth, 4/0/0

Ingrid Ursula Schor, RN, License No. 28100994, Cause No. 2001 NB 067

Respondent did appear in person and was not represented by counsel regarding an Administrative Hearing scheduled before the Board. The State of Indiana was represented by Kimberly Brown, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent surrendered her license in Alabama. She has a conditional license in the state of Florida until 2004, in which she must attend AA/NA meetings, get random drug screens, and seek psychiatric counseling. 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 until 2004. The Respondent may seek reinstatement of her license once she has fulfilled all the requirements of her conditional license in the State of Florida.

King/Helmuth, 4/0/0

Kathy J. Sanders, LPN, License No. 27030997, Cause No. 2001 NB 078

Respondent did not appear in person and was not represented by counsel regarding an Administrative Hearing scheduled before the Board. The State of Indiana was represented by Shelette Alexander-Veal, 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 voted to issue a NOTICE OF PROPOSED DEFAULT ORDER.

King/Peters, 4/0/0

Bridgett Ann Chambers, LPN, License No. 27043372, Cause No. 2002 NB 004

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 Shelette Alexander-Veal, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Ms. Alexander-Veal indicated to the Board that the Respondent has previously pled guilty to possession of a controlled substance and was just arrested again for drug diversion. This case is still pending. Ms. Alexander-Veal indicated to the Board that the State feels the Respondent is a clear and immediate danger to the public. 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 that the Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Peters, 4/0/0

Jill Suzanne Long, RN, License No. 28127129, Cause No. 2001 NB 073

Respondent did not appear in person and was not represented by counsel regarding an Administrative 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 Lori Keen. 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 ORDER.

King/Peters, 4/0/0

Dennis Ray Thompson, LPN, License No. 27044408, Cause No. 2001 NB 086

Respondent did not appear in person and was not represented by counsel regarding a Preliminary & Administrative Hearing scheduled before the Board. The State of Indiana was represented by Shalette Alexander-Veal, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent submitted a letter requesting the Board to continue his hearing. After discussion, the Board voted to DENY the continuance.

Peters/Shook, 4/0/0

The Board further voted to issue a NOTICE OF PROPOSED DEFAULT ORDER.

King/Peters, 4/0/0

The Board heard testimony from Diane Blackford, Brian Couch, Linda Williams and Margo Lutton, who were sworn in to testify for the State. 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 continue the SUMMARY SUSPENSION for an additional ninety (90) days and ordered that the Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Shook, 4/0/0

Let the record reflect that Traci Little returned to the meeting.

Leroy Clay McCargo, RN, License No. 28090249, Cause No. 2001 NB 086

The Petitioner did appear in person and was not represented by counsel regarding a Petition for Review of the Board's Denial of Petitioner's Application for Renewal as a Registered Nurse, which was scheduled before the Board. The State of Indiana was not represented. The court reporter sworn in for this matter was Lori Keen. Tom Bissonette, Program Director for ISNAP served as a witness to testify for the Petitioner. The Respondent has signed a contract with ISNAP and has a sobriety date of August 28, 2001. 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 RENEW the Respondent's license on INDEFINITE PROBATION with terms and conditions. The Respondent may seek to have his Probation lifted once he has successfully completed his ISNAP contract.

King/Helmuth, 5/0/0

Julie Ann Dudley Reed, LPN, License No. 27043869, Cause No. 2001 NB 099

Respondent did not appear in person and was not represented by counsel regarding a Petition for a Summary Suspension scheduled before the Board. The State of Indiana was represented by Eleanor Finnell, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Connie Dean, Jennifer Irvin, Lisa Brown and Tom Bissonette, served as witnesses to testify for the State. 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 place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days and ordered that Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Helmuth, 5/0/0

Let the record reflect that Marsha M. King, RN, abstained from the following matter:

Nadine Sue Pearish, License No. 28147530, Cause No. 2000 NB 023 was continued. The Board voted to EXTEND her SUMMARY SUSPENSION for an additional ninety (90) days as agreed to by both parties.

Peters/Shook, 4/0/0

PERSONAL APPEARANCES

Let the record reflect that Traci Little was conducting personal appearances during the following matter:

RENEWAL APPLICANTS

Warren Frazier, RN, License No. 28135743 – Practitioner appeared before the Board concerning his renewal application and was represented by Scott Webb. The Practitioner did not answer positive to question number one “Has any Health Profession license, certificate, registration or permit you hold or have held been disciplined or are formal charges pending?” The Practitioner’s license in Texas has been disciplined. He has at this time voluntarily surrendered his license in Texas. Mr. Frazier states that there are no criminal charges pending in Texas and the reason he surrendered his license was he could not afford the legal fees to contest the allegations. After discussion, the Board voted to NEITHER GRANT NOR DENY the renewal but REFER TO THE ATTORNEY GENERAL’S OFFICE FOR AN INVESTIGATION. A complaint has already been filed with the Board and a hearing will be set for the February 21, 2002 Board Meeting.

King/Peters, 4/0/0

Let the record reflect that Traci Little returned to the meeting.

Phyllis Gail Froug, RN, License No. 28144018 – Practitioner appeared before the Board concerning the positive response on her renewal application and was represented by Mark Naegel. The practitioner’s license has been revoked in the state of Ohio. Ms. Froug indicated to the Board that her Ohio license was revoked because she was in the Hospital and unable to attend the hearing. She had requested a continuance but was denied. Ms. Froug has also been terminated from her position in Ohio, which is the subject of a Federal lawsuit. The Judge has issued a gag order in which they cannot discuss the allegations surrounding the Ohio Board Order and her dismissal from her job. After discussion, the Board voted to RENEW the Practitioner’s license on INDEFINITE PROBATION with terms and conditions. The Board further requested that the Practitioner inform the Board as soon as the gag order is lifted and that she contact ISNAP to see if she is a candidate for their program. If ISNAP deems she is not a candidate, she must submit to the Board quarterly supervisory reports from her employer. The Board also voted to file a complaint with the Office of the Attorney General.

King/Shook, 4/0/1, with Ms. Little abstaining

PERSONAL APPEARANCES

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

ENDORSEMENT APPLICANT

Shirley Stanford, RN – Ms. Stanford appeared concerning a positive response on her endorsement application. Ms. Stanford is on probation in Mississippi. She agreed to INDEFINITE PROBATION with terms and conditions. She may request to have this withdrawn after three (3) years.

RENEWAL APPLICANTS

Helen MacConnell, RN 28064745 – Approved for renewal

Rita Nunn, RN 28117507 – Approved for renewal but refer to AG’s office for investigation

Traci Lewis, RN 28122513 – Agreed to renew on Indefinite Probation. May request to withdraw after a period of four (4) years.

Tricia Rutkiewicz, RN 28136542 – Approved for renewal

Terri Sommerville, RN 28103712 – Agreed to renew on Indefinite Probation. May request to withdraw after a period of three (3) years.

Cheryl Brown, RN 28103007 – Approved for renewal

The following failed to appear for their requested personal appearance and their renewals have been DENIED by the Board.

Joan Podjan, RN 28104615

Susan Kay Daugherty, RN 28076854

Kathy Ann Dickerson, RN 28101882

Christina Marie Flowers, RN, APN 28135127 & 71000748

Susan Harrison, RN 28119701

Cynthia Howard, RN 28122048

Josephine Mayfield King, RN 28063723

Sabrina Ramirez, RN 28123031

Rhonda Reddy, RN 28103722

Melinda Sparks, RN 28036920

There being no further business, the meeting adjourned at 6:45 p.m.

Marsha M. King, R.N., President

Darla Jones, L.P.N., Secretary