

**INDIANA STATE BOARD OF NURSING**

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

**MINUTES OF JULY 18, 2002**

Marsha M. King, 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:	Marsha M. King, R.N., President Laurie Peters, R.N., Vice President Darla Jones, L.P.N., Secretary Maurene Thomas, R.N., Member Mervin Helmuth, R.N., Member Carolyn Slagle, RN, CNS, Member Traci Little, Consumer Member
Members Absent:	Janis Shook, L.P.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.

Helmuth/Peters, 6/0/0

The Board voted to accept the minutes of the June 20, 2002 meeting as corrected.

Thomas/Peters, 7/0/0

**INDIANA STATE NURSES ASSISTANCE PROGRAM**

Tom Bissonette, Program Director of the Indiana State Nurses Assistance Program (ISNAP) was present. Tom reported to the Board that 227 nurses are being actively monitored by ISNAP. Of the 227 nurses, 197 are female and 30 are male. Tom indicated to the Board that the primary drug of choice is Opiates. He indicated that self-reporting is on the up rise, but the primary method of referral is from the Office of the Attorney General.

Tom also spoke to the Board about an ISNAP evaluation survey that will be going out to all ISNAP participants. He handed out a copy of the evaluation for Board comments. Carol Fletcher will coordinate the evaluation and provide the results to ISNAP. Tom indicated to the Board that he will share the results with the Board and hopes to have them for the October 2002 meeting.

Tom addressed the students in the audience regarding the program and handed out literature on ISNAP.

## DISCUSSION

**Jerilyn Utsler – Request for Special Testing Accommodations** – Ms. Utsler requested to have a private room for her testing. After discussion the Board APPROVED Ms. Utsler’s request.

Peters/ Thomas, 7/0/0

**Anita Mahoney Dearing Cause No. 2002 NB 018 – Response to Notice of Proposed Default** – Ms. Mahoney Dearing sent the Board a letter concerning the Notice Of Proposed Default she received. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to RESCIND the NOTICE OF PROPOSED DEFAULT, REINSTATE THE LICENSE ON SUMMARY SUSPENSION AND SET THIS MATTER FOR A FINAL HEARING.

King/Jones, 7/0/0

## EDUCATION

**Vincennes University – Program revisions** – FYI - Jana Vieck, Interim Chair appeared before the Board to request the Board to approve the re-organization structure for Vincennes University. After discussion the Board approved the re-organization structure.

**Indiana State University – Request for full Accreditation** – Before the Board can consider granting full accreditation the University must have a survey visit. The Board voted to HOLD the request until after the survey visit.

Peters/Jones, 7/0/0

**Ivy Tech Columbus PN Program – Request to use two way video instruction** – After discussion the Board voted to APPROVE the request for use of the two way video instruction.

King/Peters, 7/0/0

## PERSONAL APPEARANCES

### *RENEWAL APPLICANT*

**Rhonda Frances Reddy, RN, License No. 28103722** – Applicant appeared before the Board concerning a positive response on her renewal application and was not represented by counsel. Ms. Reddy was terminated for making a blood administration error. The facilities policy is immediate dismissal for this type of error. While working at Eagle Care Health & Rehab in management Ms. Reddy was replaced. She indicated to the Board that they did not give her a reason, but that two weeks prior to her replacement she was on duty when a Resident slipped off the bed and died from strangulation. The Board denied her original renewal at the January 2002 meeting because Ms. Reddy did not appear before the Board as requested. Ms. Reddy explained to the Board that she received the hearing notice after the actual hearing date. She admitted to the Board that she worked with out her license being renewed from January 2002 through April 2002. After discussion the Board voted to TABLE the request and REFER TO THE ATTORNEY GENERAL'S OFFICE FOR INVESTIGATION.

Peters/Thomas, 7/0/0

### *EXAMINATION APPLICANTS*

**Brandi D. Browning** – Applicant appeared before the Board concerning a positive response on her examination application and was not represented by counsel. Ms. Browning previously appeared before the Board and was given permission to take the NCLEX examination and was told to contact ISNAP. She has taken and passed the examination, but has not signed a contract with ISNAP. She indicated to the Board that her Addictionologists recommended she not sign the contract until she seeks legal advise. The Board advised Ms. Browning that if she wished to get legal advise that was her privilege, but that the Board would not license her to practice until she signed a contract with ISNAP. The Board voted to TABLE this application until Ms. Browning has signed her contract.

## CONSENSUS

**Sherri Lee Glaser** – Applicant appeared before the Board concerning a positive response on her examination application and was not represented by counsel. Ms. Glaser's L.P.N. license was revoked in January 1995. Her license was revoked because she was representing herself as a registered nurse and was practicing as such. She forged several different licenses at several different facilities. In fact, she had not completed her education as a registered nurse so that she could even take the examination. Ms. Glaser indicated to the Board that she was regretful of her actions and that she liked the nursing field and she has remained working in the health field. She has previously worked as a blood plasma technician supervisor and is currently working as a Phlebotomy supervisor at St. Francis Hospital in Beech Grove. She had counseling for three (3) years and is

currently going to school to complete her registered nurse degree. After discussion the Board moved to APPROVE Ms. Glaser to take the examination and to become licensed after successful completion of the examination.

King/Jones, 5/1/1, with Ms. Peters opposing and Ms. Slagle abstaining

**Denise Joy Hill** – Applicant appeared before the Board concerning a positive response on her examination application and was not represented by counsel. Ms. Hill had problems in the past with drug and alcohol addiction. Her sobriety date is June 20, 1995. She attends one (1) AA/NA meeting per week. After discussion the Board moved to APPROVE Ms. Hill to take the examination, but must come before the Board again in order to be licensed. They suggested she speak with a representative from ISNAP for an evaluation.

King/Thomas, 7/0/0

**Matthew T. Stevens** – Applicant appeared before the Board concerning a positive response on his examination application and was not represented by counsel. When Mr. Stevens was seventeen (17) years old he was involved in a relationship with an older woman. When she broke off the relationship, Mr. Stevens became very upset and started drinking. He indicated to the Board that he then went to her house to try to make up with her and when she rejected him he forced himself upon her and also beat her. He pled guilty to the charges and was sentenced to twenty-five (25) years in prison. The victim testified in his favor therefore his sentence was reduced to eleven (11) years. During his eleven (11) year incarceration he attended and completed a six (6) year sex offender program and also a drug rehabilitation program. He also attended college while incarcerated and received a degree in History/Psychology from Ball State University. After he was released from prison he attended AA meetings once a week for a year. He no longer finds them helpful. He has had thirteen (13) years of sobriety. He later attended Indiana State University and received his Associate Degree in Nursing. After discussion the Board moved to APPROVE Mr. Stevens to take the examination. The Board requested that he appear before the Board after he has successfully completed the examination and requested that he bring documentation showing his completion of the sex offender program and that he obtain an addictionology report.

King/Jones, 5/1/1, with Ms. Thomas opposing and Ms. Peters abstaining

### **ADMINISTRATIVE HEARINGS**

The following hearings were continued.

**Nancy Jean Johnson, RN, License No. 28128296, Cause No. 2002 NB 048**

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

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

**Terri Lynn Eaton, RN, License No. 28130083, Cause No. 2002 NB 051**

**Virginia Lee Coyle, LPN, License No. 27026134, Cause No. 2002 NB 030**

**Freda Ann Marsh, LPN, License No. 27036630, Cause No. 2002 NB 040**

**Teresa Anne Miller, LPN, License No. 27043250, Cause No. 2002 NB 079**

Respondent did appear before the Board in person and was represented by Cynthia Rose 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 Lori Keen. Sue Folkening was sworn in to testify as a witness for the State. While employed with Regency Place the Respondent was terminated for a serious medication error. The pharmacy had set the cad pump up to administer the dosage to the patient. The pharmacists actually made the error when setting up the cad pump but the Respondent was neglectful in checking the dosage. The Respondent was supposed to check the patient every fifteen (15) minutes, which was impossible due to the fact that she was responsible for the care and charting of seventy-two (72) patients that evening. The Respondent also had a positive drug screen when applying with Beverly Enterprises. The screen was positive for Darvocet. She indicated to the Board that she was not hired with Beverly Enterprises when she couldn't produce the prescription bottle for the Darvocet. She had gotten it from a friend for her back pain. She is currently employed with Hickory Creek in New Castle and has had two (2) drug screens and both were negative. 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 DENY the Deputy Attorney General's request for a SUMMARY SUSPENSION as the Board did not find that she posed an immediate danger to public health and safety if allowed to continue practicing.

King/Jones, 7/0/0

**Barbara Jill Whitten, LPN, License No. 27036808, Cause No. 2002 NB 044**

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 Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Gary Sobol was sworn in to testify for the State. In April 2002, the Respondent pled guilty to possession of cocaine and entered a drug diversion program. In June 2002, she was charged with auto theft and received three (3) months home detention and one (1) year probation. She was terminated from the diversion program due to the auto theft charge. She told the Board her drug of choice was cocaine and she has been sober for only three (3) weeks. She is currently attending a court program called Second Chance two (2) nights per week and attends AA meeting three (3) to four (4) times per week. She currently works part-time at a mortgage company. Ms. Whitten told the Board that she is Bipolar and has an attention deficit problem in which she takes medication for. On July 3, 2002, she saw an addictionologist but has not received the results from that appointment. Reverend Sobol, the Respondent's Minister, testified that he has know her for the past sixteen (16) years and that she is a good person that has gotten herself into a bad situation. 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 six (6) months and ordered the Respondent to enter into an ISNAP contract.

King/Jones, 4/3/0, with Ms. Peters, Ms. Thomas and Ms. Slagle opposing

**Tina Marie Poe, RN, License No. 28106545, Cause No. 2002 NB 077**

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 Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Witnesses sworn in to testify for the State were Bernadine Wallace and Tom Bissonette. The Respondent worked at Marion General Hospital. In March/April 2002 the Respondent was terminated for diversion of Loritab. She removed Loritab from the pyxis machine several times without patient orders. Some of the medication was removed under a patient's name but not before the patient was discharged from the Hospital. The Respondent is currently in the ISNAP program with no clinical or pyxis access. She is also required to do weekly random drug screens. Her sobriety date is May 18, 2002 and she attends 2-3 AA meetings per week. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to DENY the request for SUMMARY SUSPENSION as the Board did not find that she posed an immediate danger to public health and safety if allowed to continue practicing.

King/Jones, 7/0/0

**Karen Anne Ringel, RN, License No. 28106980, Cause No. 2002 NB 002**

Respondent did not appear in person and was not represented by counsel regarding an Administrative Hearing & Petition for Settlement Conference 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. Ms. Johnson informed the Board that she and the Respondent were working on a settlement and requested the Board for a continuance, which both parties had agreed to. After discussion, the Board voted to AGREE to the CONTINUANCE.

CONSENSUS

**Kristen Delaney Pearson, RN, License No. 28134050 Cause No. 97 NB 037**

Respondent did appear in person and was not represented by counsel regarding a Request to Reinstate scheduled before the Board. The State of Indiana was represented by Sheila O'Bryan McGrath, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Tom Bissonette was sworn in as a witness to testify for the Respondent. Mr. Bissonette testified that a five (5) year ISNAP contract was in process for the Respondent. It includes random drug screens once per week and alcohol breath tests approximately three (3) times per week. The Respondent goes to NA/AA meetings approximately three (3) times per week. ISNAP has done an evaluation of the Respondent and has deemed her fit to practice once her contract is signed. 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 three (3) years. The Board further ordered the Respondent to sign a contract

with ISNAP. After three (3) years the Respondent may seek to have the probation withdrawn.

King/Thomas, 7/0/0

**Brandi Lee Hanna, LPN, License No. 27039006, Cause No. 2002 NB 047**

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 Sheila O'Bryan McGrath, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent sent a letter to the Deputy Attorney General indicating that she could not be at this hearing and wanted to work out a settlement. 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/Helmuth, 7/0/0

**Margaret Ann Gramza, LPN, License No. 27018532, Cause No. 2001 NB 089**

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 Sheila O'Bryan McGrath, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent admitted to the Board that she had previously diverted drugs. Her contract with ISNAP was terminated due to non-compliance. The letter she received from ISNAP indicated she was terminated due to missing meeting reports. The letter sent to the Office of the Attorney General indicated that ISNAP was also missing drug screens. Ms. Gramza had not been informed of any missing drug screens. The Respondent continued to attend her meetings even though she was terminated from ISNAP. 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 six (6) months. The Board also ordered the Respondent to work with ISNAP to reinstate her contract. After six (6) months the Respondent may seek to have the probation withdrawn.

King/Jones, 7/0/0

**Donna Lou Curry, LPN, License No. 27038090, Cause No. 2002 NB 045**

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 A. Barclay Wong, Deputy Attorney General and Carol Mihalik, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Betty Fisher was sworn in as a witness to testify for the State. The Respondent was terminated from Indian Creek Nursing Home for gross misconduct. Ms. Fisher testified that the Respondent smacked a patient in response to the patient biting her. Ms. Curry indicated to the Board that it was a reflex action, and she was shocked herself when she realized what she had done. Ms. Curry told the Board that the patient did not have any response to the slap, nor did she have any red marks upon her face from it. Ms. Curry has been working at Tod Dickey Nursing Home for the past year and a half (1 ½) without any

incidents. After having considered the evidence presented, 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 PROBATION for a period of one (1) year with terms and conditions. After one (1) year the Respondent may seek to have the probation withdrawn.

King/Jones, 7/0/0

**Caroline Lee Kimble, LPN, License No. 27048342, Cause No. 2002 NB 046**

Respondent did not appear in person but was represented by counsel, Mary Hoeller regarding a Hearing on Cross Motion on Summary Judgment & Final 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 Lori Keen. The Board heard evidence from both parties. After discussion, the Board moved to DENY the Cross Motion on Summary Judgment and schedule for a Final Hearing.

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

**Lavada Rose Garnett, LPN, License No. 27037358, Cause No. 2002 NB 076**

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 Lori Keen. Natosha Thomas was sworn in as a witness to testify for the State. While employed with McCarty Health Care, the Respondent diverted Oxycontin and committed fraud by signing other Nurses' names to the narcotic sheet. The facility asked the Respondent to submit to a drug screen and search and the Respondent refused and walked out. 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/Helmuth, 7/0/0

**Amy E. Krueger, LPN, License No. 27027416, Cause No. 2002 NB 035**

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 Sheila O'Bryan McGrath, 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/Thomas, 7/0/0

The Respondent's contract with ISNAP was terminated due to non-compliance. The Respondent committed fraud by lying on her renewal application. After further

discussion, the Board 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/Jones, 7/0/0

**Jane Ann Hansen, LPN, License No. 27011502, Cause No. 2002 NB 049**

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.

Helmuth/King, 7/0/0

Let the record reflect that Marsha King, RN, President withdrew from the following hearing.

**Laura Lee Harrold, LPN, License No. 27037424, Cause No. 2001 NB 092**

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.

Helmuth/Thomas, 6/0/0

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.

Helmuth/Little, 3/2/1, with Ms. Jones and Ms. Thomas opposing and Ms. Peters abstaining

Let the record reflect that Ms. Jones and Ms. Thomas were opposed to the above vote because they felt Ms. Harrold's license should be suspended longer than five (5) years.

Let the record reflect that Traci Little, Consumer Member left the meeting for the day.

**Donna Lee Robertson, LPN, License No. 27012307, Cause No. 2002 NB 036**

Respondent did not appear before the Board 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/Peters, 6/0/0

After further discussion the Board 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.

Peters/Jones, 6/0/0

Let the record reflect that Darla Jones, LPN, Secretary left the meeting for the day.

**Bret Dee Shaw, RN, License No. 28107061, Cause No. 2002 NB 078**

Respondent did appear in person and was represented by counsel, Cynthia Marcus, 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 Lori Keen. Tom Bissonette was sworn in as a witness to testify for the State. The Respondent license was on Probation and withdrawn in February, 2002. Mr. Bissonette testified that the Respondent's contract with ISNAP was terminated due to non-compliance. The Respondent indicated to the Board that since his final order withdrawing his license from probation did not indicate he had to continue with ISNAP he thought that he did not have to continue with his contract. He has continued attending AA meeting twice a week. His sobriety date is June 26, 1996. The Board suggested the Respondent talk with Mr. Bissonette and have his contract reinstated. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY the State's request for a Summary Suspension as they did not find that he represented a clear and immediate danger if allowed to continue to practice nursing.

King/Peters, 5/0/0

**Cathy Lynn Whitson, RN, License No. 28107842, Cause No. 2001 NB 034**

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 Sheila O'Bryan McGrath, 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/Helmuth, 5/0/0

The Respondent is also licensed in Illinois. Illinois took action against her license and deemed her unfit to practice. She was terminated for theft of a thousand (1000) milligrams of morphine. The Respondent pled guilty to one (1) count of theft of a controlled substance and received 1 ½ year's home detention. She did not comply with

the home detention, and was incarcerated for the 1 ½ years. She also committed fraud by lying on her renewal application. After further discussion the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of five (5) years and ordered the Respondent to obtain an examination from a Board certified addictionologists. After five (5) years the Respondent may seek to have her license reinstated.

King/Helmuth, 5/0/0

Let the record reflect that Darla Jones, LPN, Secretary participated in the following Renewal Application's.

### **APPLICATIONS**

#### *RENEWAL APPLICATIONS*

**Lori Kay Steury, LPN, License No. 27018746** - The Board reviewed Ms. Steury's renewal application for a positive response. After discussion the Board moved to request a PERSONAL APPEARANCE and requested that Ms. Steury bring a chemical dependency report.

King/Jones, 6/0/0

**Kimberly Westberry, LPN, License No. 27038322** – Ms. Westberry's renewal application had been tabled by the Board with a request that the Office of the Attorney General investigate the matter. The Office of the Attorney General investigated and closed the complaint. After discussion the Board voted to RENEW Ms. Westberry's license.

King/Jones, 6/0/0

#### *ENDORSEMENT APPLICATION*

**Joy Harriet Aveni, RN** – The Board reviewed Ms. Aveni's endorsement application for a positive response. After discussion the Board moved to request a PERSONAL APPEARANCE.

King/Helmuth, 5/0/0

There being no further business, the meeting was adjourned at 6:15 p.m.

---

Marsha M. King, R.N., President

---

Darla Jones, L.P.N., Secretary