

MINUTES

INDIANA STATE BOARD OF NURSING

March 16, 2006

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Ms. Peters called the meeting to order at 8:31 a.m. in the Auditorium of the Indiana Government Center-South, 302 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-23-1-5(b).

Board Members Present:

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

Board Members Absent:

None

State Officials Present:

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

II. ADOPTION OF THE AGENDA

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

PETERS/JONES
Motion carried 8-0-0

III. ADOPTION OF THE MINUTES FROM THE FEBRUARY 16, 2006 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes, as amended, from the February 16, 2006 meeting of the Board.

HELMUTH/LITTLE
Motion carried 4-0-4

Ms. Peters, Ms. Shook, Ms. Jones & Ms. Valentino abstained.

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM (ISNAP) REPORT

Ms. Little was not present.

Charles Lindquist, ISNAP Program Director, presented the monthly report to the Board. Mr. Lindquist spoke to the audience about the ISNAP program at the request of the Board. Mr. Lindquist informed the Board that ISNAP has, as of February, 2006, 422 active clients, 23 new intakes, 90 intakes in process and 26 RMA's returned. Mr. Lindquist informed the Board that ISNAP has scheduled a quarterly provider meeting on April 25, 2006 at St. Joseph Hospital, Fort Wayne. Mr. Lindquist also informed the Board that planning sessions continue for a Conference for Nurses, EAP's, and HR's sponsored by ISNAP on "Health Care Professionals – Impairment and Recovery." The conference is scheduled for September 29, 2006. Mr. Lindquist stated that this will be a "Fund Raiser" to raise funds for ISNAP's "scholarship fund" to assist with payment for urine drug screens. ISNAP is in the process of seeking sponsors, exhibitors, speakers, etc.

Ernie Klein, ISNA Executive Director, addressed the Board regarding the NCSBN Vision Paper. Mr. Klein suggested that the Board convene a Sub-Committee to vote or act on NCSBN's future regulation of APN's and to discuss some possible provisions in this document.

A motion was made and seconded to form a Sub-Committee.

SLAGLE/HELMUTH
Motion carried 8-0-0

Mr. Klein informed the Board of the Psychology Board's proposed restricted psychology test list and agreed to keep the Board informed of any updates regarding it.

V. EDUCATION Ms. Little arrived at the meeting.

A. Ivy Tech State College, Greencastle – Report of Survey Visit

Buelah Hofmann appeared on behalf of Ivy Tech State College, Greencastle regarding the survey visit conducted by Paulette Worcestor, RN. Ms. Hofmann informed the Board that they will start the transition in May, 2006. Twenty students will be admitted in both the transition program and traditional program, for a total of 40 students. Ms. Worcestor did not indicate any concerns regarding the visit.

A motion was made and seconded to accept the survey visit and place Ivy Tech State College, Greencastle on initial accreditation.

PETERS/HELMUTH
Motion carried 9-0-0

B. University of St. Francis – Request to Open a Satellite Campus

Nancy Gillespie and Maureen Arnold appeared on behalf of the University of St. Francis regarding their request to open a satellite campus in Crown Point, Indiana. Ms. Gillespie informed the Board that they plan to use the current Board approved ASN Program curriculum at the satellite campus, without any modifications.

A motion was made and seconded to approve their request and schedule a site visit.

PETERS/HELMUTH
Motion carried 9-0-0

C. Indiana Wesleyan University – Change of Directors

Carol Bence is the new Director. FYI for the Board.

D. Indiana Graduate School of Management – Report of Survey Visit

Mervin Helmuth, RN, Board Vice-President, conducted a survey visit on March 2, 2006 at the Indiana Graduate School of Management. Mr. Helmuth provided a summary of items to Corey Dabney, CEO of the Indiana Graduate School of Management, which must be submitted to the Board prior to June 1, 2006 in order for the program to open.

A motion was made and seconded to extend initial accreditation for June 1, 2006. Indiana Graduate School of Management must meet the required recommendations of the Board in order to receive initial accreditation.

PETERS/SLAGLE
Motion carried 8-0-1 Mr. Helmuth abstained.

VI. DISCUSSION

1. State of Indiana v. Violet Thompson, L.P.N., License No. 27046741A

Administrative Cause No. 2005 NB 0154

Re: Respondent's Motion to Vacate Default and Set Matter for a Hearing, and Petitioner's Motion to Strike

A motion was made and seconded to grant the motion to strike.

PETERS/JONES
Motion carried 9-0-0

VII. PERSONAL APPEARANCES

Appearances by Applicants for Renewal

1. Barbara Randol

Ms. Randol did not appear. Reschedule for the next Board meeting.

2. Teresa Fields

Ms. Fields appeared before the Board at the May 19, 2005 meeting. At that meeting, the Board recommended approval of Ms. Fields renewal once she signed a contract with ISNAP. A letter from ISNAP was sent to the Board indicating that Ms. Fields had failed to notify ISNAP and her case has now been closed.

A motion was made and seconded to deny Teresa Fields application for renewal.

SLAGLE/DYE
Motion carried 9-0-0

3. Ellen Beckman

Ms. Beckman appeared before the Board regarding the positive response on her renewal application. Ms. Beckman indicated that she was terminated for chemical dependency from Methodist Hospital. She also indicated that this was her second relapse after seventeen months of sobriety. Mr. Lindquist stated that she is in compliance with ISNAP.

A motion was made and seconded to approve Ellen Beckman's renewal.

PETERS/JONES
Motion carried 9-0-0

Appearances by Applicants for Licensure

1. Keisha L. Straight

Ms. Straight appeared before the Board regarding the positive response on her endorsement application. Ms. Straight was convicted of misdemeanor petty theft charges as a teenager in 1997. She was also given a ticket for yelling for disorderly conduct in 1998, a minor misdemeanor citation. Ms. Straight's Ohio license was issued with permanent "life-time" restrictions in the scope of home health care, hospice, volunteer, and independent practice. She has also been required to complete a two year probation period with the Ohio Board and take additional CEU's in ethics.

A motion was made and seconded to approve Keisha L. Straight's application for licensure by endorsement and place her license on Indefinite Probation for a period of six months and require three reports from her supervisor.

PETERS/JONES
Motion carried 9-0-0

VIII. ADMINISTRATIVE HEARINGS

A. The following hearings were continued:

- 1. State of Indiana v. Kimberly Clark, R.N., License No. 28143832A**
Administrative Cause No. 2005 NB 0100
Re: Disciplinary Hearing
- 2. State of Indiana v. Elizabeth Jones, R.N., License No. 28095708A**
Administrative Cause No. 1999 NB 017
Re: Request to Withdraw Probation
- 3. State of Indiana v. Misty C. Bailey, L.P.N., License No. 27036077A**
Administrative Cause No. 2006 NB 003
Re: Preliminary & Disciplinary Hearing
- 4. State of Indiana v. Cassandra Ann Felt, L. P.N., License No. 27051548A**
Administrative Cause No. 2005 NB 0143
Re: Disciplinary Hearing
- 5. State of Indiana v. Cynthia Marvene Thieme, L.P.N., License No. 27038292A**
Administrative Cause No. 2005 NB 0149
Re: Disciplinary Hearing
- 6. State of Indiana v. Debra Lynn Oliver, L.P.N., License No. 27040246A**
Administrative Cause No. 2005 NB 0198
Re: Disciplinary Hearing

7. State of Indiana v. Margarita Desearra MacDonald, L.P.N., License No. 27052026A

Administrative Cause No. 2005 NB 0156

Re: Disciplinary Hearing

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

Administrative Cause No. 2005 NB 0043

Re: Disciplinary Hearing

B. State of Indiana v. Tammy McClish, L.P.N., License No. 27046987A

Administrative Cause No. 2005 NB 0177

Re: Disciplinary Hearing

Parties and Counsel Present:

Tammy McClish, Respondent

Laura Wilford, Deputy Attorney General for the State of Indiana

State's Witness:

Richard Rice

Charles Lindquist, ISNAP Program Director

Robert Snyder, Jr.

Participating Board Members:

Ms. Peters (Hearing Officer)

Mr. Helmuth

Ms. Shook

Ms. Jones

Ms. Dye

Ms. Parker

Ms. Slagle

Ms. Little

Ms. Valentino

Case Summary: Respondent's license was placed on summary suspension at the October 20, 2005 Board meeting. The summary suspension was extended at the January 19, 2006 Board meeting. A Complaint was filed on December 5, 2005 alleging the Respondent violated five counts of Indiana Code 25-1-9-4.

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of six (6) months. Respondent must have six (6) months compliance with ISNAP prior to petitioning for reinstatement. Further, Respondent must pay a fine in the amount of \$250.00 dollars and complete eight (8) hours of community service specifically in talking to nursing students.

PETERS/HELMUTH

Motion carried 7-0-2 Ms. Slagle and Ms. Little abstained.

C. State of Indiana v. Diane Smith, L.P.N., License No. 27023243A

Administrative Cause No. 2004 NB 0185

Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear.

Joan Isaacs, Counsel for the Respondent.

Patrick McCool, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Peters (Hearing Officer)

Mr. Helmuth

Ms. Shook

Ms. Jones

Ms. Dye

Ms. Parker

Ms. Slagle

Ms. Little

Ms. Valentino

Case Summary: A Complaint was filed on September 13, 2004 alleging the Respondent violated two counts of Indiana Code 25-1-9-4. A Verbal Agreement was presented to the Board. The Agreement included indefinite probation of the Respondent's license for a period of three (3) months, twelve (12) CEU's, and a fine in the amount of \$250.00 dollars.

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

PETERS/JONES
Motion carried 8-0-1 Ms. Slagle abstained.

- D. State of Indiana v. Cheryl Ann Robertson, R.N., License No. 28097023A**
Administrative Cause No. 2004 NB 0163
Re: Disciplinary Hearing

Parties and Counsel Present:

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

State's Witnesses:

Jean Johannig Semier
Rebecca Gore
Diane Ellis

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Dye
Ms. Parker
Ms. Little
Ms. Valentino

Case Summary: A Complaint was filed on February 5, 2006 alleging the Respondent violated three counts of Indiana Code 25-1-9-4. The State informed the Board that they have not heard from the Respondent and she has not requested a continuance.

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

HELMUTH/PETERS
Motion carried 8-0-0

- E. State of Indiana v. Bradley Cross, R.N., License No. 28087739A**
Administrative Cause No. 2002 NB 0042
Re: Request for Reinstatement

Parties and Counsel Present:

Bradley Cross, Respondent
Linda Batten, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: Respondent's license was placed on Indefinite Suspension at the June 20, 2002 Board meeting. The Findings of Fact and Order was filed on June 28, 2002.

Board Action: A motion was made and seconded to deny the Respondent's request for reinstatement.

PETERS/HELMUTH
Motion carried 8-0-1 Ms. Dye abstained

F. State of Indiana v. Robin Hanlon, L.P.N., License No. 27042145A

Administrative Cause No. 2004 NB 0076

Re: Request to Withdraw Probation

Parties and Counsel Present:

Robin Hanlon, Respondent did

Steven Douglas, Deputy Attorney Generals for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Ms. Peters (Hearing Officer)

Mr. Helmuth

Ms. Shook

Ms. Jones

Ms. Parker

Ms. Little

Ms. Valentino

Ms. Slagle

Ms. Dye

Case Summary: Respondent's license was placed on Indefinite Probation at the November 18, 2004 meeting. The Findings of Fact, Ultimate Findings of Fact and Order, Conclusions of Law and Order was filed on November 30, 2004.

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

PETERS/HELMUTH

Motion carried 9-0-0

G. State of Indiana v. Tammy Inez Jones, L.P.N., R.N., License Nos. 27043031A & 28152878A

Administrative Cause No. 2005 NB 0138

Re: Disciplinary Hearing

Parties and Counsel Present:

Tammy Inez Jones, Respondent

Charles Hakes, Counsel for the Respondent

Daniel Cavallini, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Ms. Peters (Hearing Officer)

Mr. Helmuth

Ms. Shook

Ms. Jones

Ms. Parker

Ms. Little

Ms. Valentino

Ms. Slagle

Ms. Dye

Case Summary: A Complaint was filed on June 14, 2005 alleging the Respondent violated nine counts of Indiana Code 25-1-9-4.

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Probation for a period of one (1) year and ordered the Respondent to pay a fine in the amount of \$250.00 dollars.

PETERS/JONES

Motion carried 9-0-0

H. State of Indiana v. Barbara Anne Kelly, L.P.N., License No. 27043618A

Administrative Cause No. 2005 NB 0003

Re: Request for Reinstatement

Parties and Counsel Present:

Barbara Anne Kelly, Respondent
Patrick McCool, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: Respondent's license was placed on Indefinite Suspension at the September 15, 2005 Board meeting. The Findings of Fact and Order was filed on October 14, 2005.

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

PETERS/JONES
Motion carried 9-0-0

I. State of Indiana v. Deena Jane Kleber, L.P.N., License No. 27038352A

Administrative Cause No. 2005 NB 0159

Re: Disciplinary Hearing

Parties and Counsel Present:

Deena Jane Kleber, Respondent
Daniel Cavallini, Deputy Attorney General for the State of Indiana

State's Witnesses:

Tammy Butler
Vicki Self
Charles Lindquist, ISNAP Program Director

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: A Complaint was filed on February 6, 2006 alleging the Respondent violated nine counts of Indiana Code 25-1-9-4.

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of six (6) months of full compliance with ISNAP and ordered the Respondent to pay a fine in the amount of \$250.00 dollars.

PETERS/JONES
Motion carried 9-0-0

J. State of Indiana v. Kerry Douglas Janney, L.P.N., License No. 27053317A

Administrative Cause No. 2005 NB 0190

Re: Disciplinary Hearing

Parties and Counsel Present:

Kerry Douglas Janney, Respondent
Elizabeth Kiefner, Deputy Attorney General for the State of Indiana

State's Witness:

Pat Waggoner

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: A Complaint was filed on December 2, 2005 alleging the Respondent violated three (3) counts of Indiana Code 25-1-9-4.

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Probation for a period of six (6) months. Further, Respondent must submit six (6) CEU's as outlined in the Board Order and submit three supervisory reports.

PETERS/SHOOK
Motion carried 9-0-0

K. State of Indiana v. Patricia Colleen McMahan, L.P.N., License No. 27039836A

Administrative Cause No. 2005 NB 0195

Re: Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: A Complaint was filed on December 8, 2005 alleging the Respondent violated two counts of Indiana Code 25-1-9-4. The State informed the Board that they have not heard from the Respondent and she has not requested a continuance.

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

PETERS/JONES
Motion carried 9-0-0

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

PETERS/SHOOK
Motion carried 9-0-0

L. State of Indiana v. Tamara Leah Fox, L.P.N., License No. 27024221A

Administrative Cause No. 2005 NB 0196

Re: Disciplinary Hearing

Parties and Counsel Present:

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

State's Witnesses:

Theresa White

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: A Complaint was filed on December 8, 2005 alleging the Respondent violated one count of Indiana Code 25-1-9-4. The State informed the Board that they have not heard from the Respondent and she has not requested a continuance.

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

PETERS/JONES
Motion carried 9-0-0

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

PETERS/SHOOK
Motion carried 9-0-0

- M. State of Indiana v. Betty Louise Bennett, L.P.N., License No. 27045062A**
Administrative Cause No. 2005 NB 0204
Re: Disciplinary Hearing

Parties and Counsel Present:

Betty Louise Bennett, Respondent
Shelley Johnson, Deputy Attorney Generals for the State of Indiana

Respondent's Witness:

Colleen Lewis

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: A Complaint was filed on December 22, 2005 alleging the Respondent violated two counts of Indiana Code 25-1-9-4.

Board Action: A motion was made and seconded to issue a Motion to Dismiss.

JONES/PARKER
Motion carried 9-0-0

- N. State of Indiana v. Deborah Jean Amick, L.P.N., License No. 27042994A**
Administrative Cause No. 2004 NB 0033
Re: Request to Withdraw Probation

Parties and Counsel Present:

Deborah Jean Amick, Respondent
The State was not represented.

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones

Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: Respondent's license was placed on Indefinite Probation during a personal appearance for renewal of her LPN license at the January 20, 2005 meeting. The Findings of Fact and Order was filed on January 27, 2005.

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

PETERS/JONES
Motion carried 9-0-0

- O. State of Indiana v. Kimberly Kay Thompson (Whitis), L.P.N., License No. 27047748A**
Administrative Cause No. 2004 NB 0020
Re: Request for Reinstatement

Parties and Counsel Present:

Kimberly Kay Thompson, Respondent
Patrick McCool, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: Respondent's license was placed on Indefinite Suspension at the August 19, 2004 Board meeting. The Findings of Fact and Order was filed on November 16, 2004.

Board Action: A motion was made and seconded to deny the Respondent's request for reinstatement.

PETERS/JONES
Motion carried 9-0-0

- P. State of Indiana v. Cathy Manchette, R.N., License No. 28125402A**
Administrative Cause No. 2004 NB 0024
Re: Preliminary & Disciplinary Hearing

Parties and Counsel Present:

Cathy Manchette, Respondent
The State was not represented.

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: Respondent's license was placed on Indefinite Probation at the January 15, 2004 Board meeting. An Order to Show Cause was filed on December 22, 2005. Respondent did not appear at the hearing scheduled on January 19, 2006. A Notice of Proposed Default and Summary Suspension

Order was filed on January 25, 2006. Respondent submitted a response to the Notice of Proposed Default and the Board accepted the response at their February 16, 2006 Board meeting.

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Suspension until she re-enters ISNAP. Once the Respondent signs and RMA with ISNAP, she will automatically be placed on Indefinite Probation for a period of six (6) months, then at that time she may petition to have the probation withdrawn. Further, Respondent was ordered to pay a fine in the amount of \$250.00 dollars within ninety (90) days from the date of the Final Order.

PETERS/JONES
Motion carried 9-0-0

Q. State of Indiana v. Marion Lee Willis, L.P.N., License No. 27040612A

Administrative Cause No. 2005 NB 0093

Re: Preliminary & Disciplinary Hearing

Parties and Counsel Present:

Marion Lee Willis, Respondent did

Patrick McCool, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Peters (Hearing Officer)

Mr. Helmuth

Ms. Shook

Ms. Jones

Ms. Parker

Ms. Little

Ms. Valentino

Ms. Slagle

Ms. Dye

Case Summary: Respondent's license was placed on Summary Suspension at the April 19, 2005 Board meeting. The Summary Suspension was extended at the September 15, 2005 and December 15, 2005 Board meetings. A Complaint was filed on February 21, 2006 alleging the Respondent violated one count of 848 IAC 2-3-3.

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Probation for a period of one (1) year. Further, Respondent is required to submit three (3) hours of CEU's as outlined in the Board Order.

HELMUTH/JONES
Motion carried 9-0-0

R. State of Indiana v. Jennifer Boggs, L.P.N., License No. 27033718A

Administrative Cause No. 2005 NB 0167

Re: Petition for Extension of Summary Suspension

Parties and Counsel Present:

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

Daniel Cavallini, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Peters (Hearing Officer)

Ms. Shook

Ms. Jones

Ms. Parker

Ms. Little

Ms. Valentino

Ms. Slagle

Ms. Dye

Case Summary: Respondent's license was placed on Summary Suspension at the September 15, 2005 Board meeting. The Summary Suspension was extended at the December 15, 2005 Board meeting.

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

PETERS/JONES
Motion carried 8-0-0

- S. State of Indiana v. Catherine Sue Flock, R.N., License No. 28148648A**
Administrative Cause No. 2006 NB 007
Re: Order to Show Cause

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: Respondent's license was placed on Indefinite Probation at the January 19, 2006 Board meeting. The Findings of Fact and Order was filed on February 6, 2006.

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

PETERS/JONES
Motion carried 8-0-0

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

PETERS/SHOOK
Motion carried 8-0-0

- T. State of Indiana v. Stephanie Kay Burthay, L.P.N., License No. 27052506A**
Administrative Cause No. 2006 NB 0022
Re: Petition for Summary Suspension

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye
Mr. Helmuth

Case Summary: A Petition for Summary Suspension was filed on March 8, 2006.

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

PETERS/JONES
Motion carried 8-0-0

- U. State of Indiana v. Eileen Theresa Wendt, L.P.N., License No. 27048115A**
Administrative Cause No. 2005 NB 0179
Re: Petition for Extension of Summary Suspension

Parties and Counsel Present:

Eileen Theresa Wendt, Respondent
Shelley Johnson, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye
Mr. Helmuth

Case Summary: Respondent's license was placed on Summary Suspension at the December 15, 2005 Board meeting. A Petition for Extension of Summary Suspension was filed on March 7, 2006. Respondent verbally agreed to Michelle Hines, Assistant Board Director, and Linda Batten, Deputy Attorney General to an extension of the Summary Suspension on her license for an additional ninety (90) days. Respondent was at the hearing but had to leave due to her car being towed.

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

PETERS/SHOOK
Motion carried 9-0-0

V. State of Indiana v. Tracey M. Rhodes, R.N., License No. 28142915A

Administrative Cause No. 2006 NB 0024

Re: Petition for Summary Suspension

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye
Mr. Helmuth

Case Summary: A Petition for Summary Suspension was filed on March 10, 2006. An Agreement was presented to the Board. The Agreement included voluntary suspension of the Respondent's license until the criminal charges are resolved and until such time the Respondent may petition the Board for an administrative hearing.

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

PETERS/HELMUTH
Motion carried 9-0-0

W. State of Indiana v. Bethuel Tanui Mutai, R.N., License No. 28166097A

Administrative Cause No. 2006 NB 0025

Re: Petition for Summary Suspension

Parties and Counsel Present:

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

State's Witness:

Jennie C. Denker, DON at Clark Rehab and Skilled Nursing Facility

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker

Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye
Mr. Helmuth

Case Summary: A Petition for Summary Suspension was filed on March 13, 2006.

Board Action: A motion was made and seconded to reject Respondent's response to Petition for Summary Suspension and motion to dismiss cause of action.

HELMUTH/JONES
Motion carried 9-0-0

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

SLAGLE/PETERS
Motion carried 9-0-0

X. State of Indiana v. Linda Kay Bailey, L.P.N., License No. 27022483A
Administrative Cause No. 2006 NB 0027
Re: Petition for Summary Suspension

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: A Petition for Summary Suspension was filed on March 13, 2006.

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

PETERS/SHOOK
Motion carried 8-0-0

Y. State of Indiana v. Angelia Lynn Wash, L.P.N., License No. 27044878A
Administrative Cause No. 2006 NB 0026
Re: Petition for Summary Suspension

Parties and Counsel Present:

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

State's Witnesses:

Mark Cole
Tony Link

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye
Mr. Helmuth

Case Summary: A Petition for Summary Suspension was filed on March 13, 2006.

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

PETERS/SLAGLE
Motion carried 9-0-0

IX. DEFAULT HEARINGS

A. State of Indiana v. Kathleen Allen, R.N., License No. 28095891A

Administrative Cause No. 2002 NB 0085

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)

Ms. Shook

Ms. Jones

Ms. Parker

Ms. Little

Ms. Valentino

Ms. Slagle

Ms. Dye

Case Summary: Respondent did not appear at the hearing scheduled on January 19, 2006. Respondent submitted a response regarding the Notice of Proposed Default Order filed on February 6, 2006 was received.

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

PETERS/JONES
Motion carried 8-0-0

B. State of Indiana v. Barbara Archer, R.N., License No. 28117408A

Administrative Cause No. 2003 NB 0188

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)

Ms. Shook

Ms. Jones

Ms. Parker

Ms. Little

Ms. Valentino

Ms. Slagle

Ms. Dye

Case Summary: Respondent did not appear at the hearing scheduled on January 19, 2006. There has been no response from the Respondent regarding the Notice of Proposed Default and Summary Suspension Order filed on February 3, 2006.

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

PETERS/SHOOK
Motion carried 8-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year. Further, the Respondent must pay a fine in the amount of \$250.00 dollars and be

evaluated by ISNAP, and if deemed a candidate must have six (6) months of compliance before requesting reinstatement.

PETERS/JONES
Motion carried 8-0-0

- C. State of Indiana v. Barbara Lea (Decamp) Walker, R.N., License No. 28134434A**
Administrative Cause No. 2003 NB 0160
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: Respondent did not appear at the hearing scheduled on January 19, 2006. There has been no response from the Respondent regarding the Notice of Proposed Default Order filed on February 3, 2006.

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

PETERS/JONES
Motion carried 8-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of ninety-nine (99) years.

PETERS/VALENTINO
Motion carried 8-0-0

- D. State of Indiana vs. Janet Marie Davidson, L.P.N., R.N., License Nos. 27037264A & 28132896A**
Administrative Cause No. 2005 NB 0188
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: Respondent did not appear at the hearing scheduled on January 19, 2006. There has been no response from the Respondent regarding the Notice of Proposed Default Order filed on February 3, 2006.

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

PETERS/SHOOK
Motion carried 8-0-0

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

JONES/SLAGLE
Motion carried 8-0-0

- E. State of Indiana vs. Tracy Lynn Rambo, L.P.N., License No. 27046140A**
Administrative Cause No. 2005 NB 0192
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: Respondent did not appear at the hearing scheduled on February 16, 2006.
Respondent submitted a response regarding the Notice of Proposed Default and Summary Suspension Order filed on February 23, 2006.

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

PETERS/SHOOK
Motion carried 8-0-0

- F. State of Indiana vs. Christy Grose, R.N., License No. 28132947A**
Administrative Cause No. 2004 NB 0118
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Slagle
Ms. Dye

Case Summary: Respondent did not appear at the hearing scheduled on February 16, 2006. There has been no response from the Respondent regarding the Notice of Proposed Default and Summary Suspension Order filed on February 24, 2006.

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

JONES/DYE
Motion carried 7-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of two (2) years. Further, the Respondent must be evaluated by ISNAP, and if deemed a candidate must have one (1) year of compliance before requesting reinstatement.

PETERS/SHOOK
Motion carried 7-0-0

- G. State of Indiana vs. Mary Angela Stephens, L.P.N., License No. 27038148A**
Administrative Cause No. 2005 NB 0201
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Slagle
Ms. Dye

Case Summary: Respondent did not appear at the hearing scheduled on February 16, 2006. Respondent submitted a response regarding the Notice of Proposed Default and Summary Suspension Order filed on February 23, 2006.

Board Action: A motion was made and seconded to accept the Respondent's response to the Notice of Proposed Default and Summary Suspension Order and schedule for a final hearing at the April Board meeting.

JONES/PETERS
Motion carried 7-0-0

H. State of Indiana vs. Cheri Ann Whitaker, L.P.N., License No. 27041200A

Administrative Cause No. 2005 NB 0160

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Slagle
Ms. Dye

Case Summary: Respondent did not appear at the hearing scheduled on February 16, 2006. There has been no response from the Respondent regarding the Notice of Proposed Default and Summary Suspension Order filed on February 23, 2006.

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

PETERS/JONES
Motion carried 7-0-0

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

PETERS/DYE
Motion carried 7-0-0

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

Administrative Cause No. 2004 NB 0043

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Ms. Shook

Ms. Jones
Ms. Parker
Ms. Little
Ms. Slagle
Ms. Dye

Case Summary: Respondent did not appear at the hearing scheduled on February 16, 2006. There has been no response from the Respondent regarding the Notice of Proposed Default and Summary Suspension Order filed on February 24, 2006.

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

PETERS/SLAGLE
Motion carried 7-0-0

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

PETERS/PARKER
Motion carried 7-0-0

X. DELIBERATION AND POSSIBLE ISSUANCE OF FINAL ORDERS

A. Settlement Agreements

1. **State of Indiana v. Delana Jean Lisle, L.P.N., License No. 27021883A**
Administrative Cause No. 2005 NB 0141
Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.
L. Alan Whaley and Blaire M. Henley, Counsel for the Respondent
Daniel Cavallini, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: An Agreement was presented to the Board between the Respondent and the Office of the Attorney General. The Agreement included Indefinite Probation for a period of three (3) years, a fine in the amount of \$250.00 dollars, community service and CEU's as directed in the Board Order.

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

JONES/PETERS
Motion carried 9-0-0

2. **State of Indiana v. Ruby Ann Proffitt, L.P.N., License No. 27030720A**
Administrative Cause No. 2005 NB 0199
Re: Proposed Settlement Agreement

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones

Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: An Agreement was filed on March 8, 2006 between the Respondent and the Office of the Attorney General. The Agreement included a Letter of Reprimand and fifteen (15) hours of CEU's as outlined in the Board Order. The Board stated that the Letter of Reprimand is not acceptable and should be something more, such as probation.

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

PETERS/HELMUTH
Motion carried 9-0-0

3. **State of Indiana v. Brandy N. Thompson (Marcum, L.P.N., License No. 27052845A)**
Administrative Cause No. 2005 NB 0020
Re: Proposed Settlement Agreement

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: An Agreement was filed on March 6, 2006 between the Respondent and the Office of the Attorney General. The Agreement included placing the Respondent's license on Indefinite Probation for a period of two (2) years, CEU's as outlined in the Board Order to be submitted to the Board within ninety (90) days of the Final Order, and a fine in the amount of \$250.00 dollars to be paid within ninety (90) days of the Final Order.

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

HELMUTH/SLAGLE
Motion carried 8-0-1 Ms. Peters abstained.

4. **State of Indiana v. Suzanne Marie Hawkins, R.N., License No. 28148602A)**
Administrative Cause No. 2006 NB 0008
Re: Proposed Settlement Agreement

Parties and Counsel Present:

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

Participating Board Members:

Ms. Peters (Hearing Officer)
Mr. Helmuth
Ms. Shook
Ms. Jones
Ms. Parker
Ms. Little
Ms. Valentino
Ms. Slagle
Ms. Dye

Case Summary: An Agreement was filed on March 3, 2006 between the Respondent and the Office of the Attorney General. The Agreement included a Letter of Reprimand and six (6) hours of CEU's as outlined in the Board Order to be submitted within ninety (90) days of the Final Order. Further,

Respondent is ordered to pay a fine in the amount of \$250.00 dollars within ninety (90) days of the Final Order.

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

PETERS/HELMUTH
Motion carried 9-0-0

B. Administrative Law Judge Recommendations

1. State of Indiana v. Cynthia Akers, R.N., License No. 28086195A

Administrative Cause No. 2001 NB 029

Re: Denial of Reinstatement

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

PETERS/JONES
Motion carried 7-0-0

XI. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Nursing adjourned at 10:15 p.m.

Mervin Helmuth, R.N., Vice-President

Date

Ann Parker, R.N., Secretary

Date