

MINUTES

INDIANA STATE BOARD OF NURSING

March 20, 2008

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Ms. Slagle called the meeting to order at 8:29 a.m. in the Auditorium of the Indiana Government Center South Building, 302 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-23-1-5(b).

Board Members Present:

Carolyn Slagle, R.N., C.N.S., President
Jerry Burghduff, L.P.N., Secretary
Anne Ogle, Consumer Member
Marcia Laux, R.N., Member
Lynda Narwold, R.N., Member
Connie McIntosh, R.N., Member

Board Members Absent:

Laurel Valentino, R.N., Vice-President
Scott Johns, R.N., Member

State Officials Present:

Sean Gorman, Board Director, Indiana Professional Licensing Agency
Michelle Hines, Assistant Board Director, Indiana Professional Licensing Agency
Lisa Chapman, Litigation Specialist, 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.

SLAGLE/BURGHDUFF
Motion carried 6-0-0

III. ADOPTION OF THE MINUTES FROM THE FEBRUARY 21, 2008 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes from the February 21, 2008 meeting of the Board.

SLAGLE/BURGHDUFF
Motion carried 6-0-0

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM (ISNAP) REPORT

Charles Lindquist, ISNAP Program Director, presented the monthly report to the Board. Mr. Lindquist informed the Board that ISNAP has, as of February 2008, 461 active clients, 18 new intakes, 60 intakes in process, 15 closures in intake and 15 RMA's returned.

Mr. Lindquist reminded the Board that ISNAP's theme for their fall conference on 10/3/2008 is "Relapse/Relapse Prevention." The keynote speakers for the conference will be Dr. Michael Wilkerson and Jackie Fazeli, RN from Bradford Health Services in Alabama.

Mr. Lindquist stated that ISNAP staff met on February 15, 2008 to review applicants that have applied for the Needs Assistance Fund. They reviewed sixteen applications and eleven of them qualified for assistance and vouchers were mailed to them.

Mr. Lindquist spoke to the audience at the request of the Board.

V. DISCUSSION

1. Report of Subcommittee

Sean Gorman, Board Director, submitted a report from the Nursing Board Subcommittee meeting held on March 19, 2008. Mr. Gorman informed the Board that each subcommittee should be created by Board vote on a motion to create the specific subcommittee that includes the following:

- The purpose of the subcommittee;
- The list of appointed subcommittee members;
- The timeline for a subcommittee report to the Board on the subcommittee's recommendations.

Mr. Gorman explained to the Board that based on the interest expressed by various stakeholders since the announcement of the formation of the education and chronic pain/monitoring subcommittees, the following is a summary of potential subcommittee purposes and interested potential members:

Education Subcommittee

Purpose: To provide the Board with recommendations on how to improve the rules regarding education in 848 IAC 1-2-20. Potential topics that may be addressed by the Education Subcommittee include addressing the use of simulation labs, the use of preceptors, how the pass rates are determined, and how educational requirements might address workforce shortage issues. The Education Subcommittee should include in its review a comparison of other State Board's experiences in dealing with education issues.

Members:

Marcia Laux, Nursing Board Member
Connie McIntosh, Nursing Board Member
Lynda Narwold, Nursing Board Member
Esther Acree, Dean of Nursing at ISU
Marcia Miller, Distance Education Coordinator at ISU
Yvonne Culpepper, Hendricks Regional Health
Judith Halstead, Indiana University
Mindy Yoder, University of St. Francis
Spencer Grover, Indiana Hospital Association
Phyllis J. Lewis, Indiana Department of Education

Timeline:

Meetings will be determined by the subcommittee members. The subcommittee will report their recommendations and their status before the Nursing Board at their September 18, 2008 meeting.

Chronic Pain/Monitoring Subcommittee:

Purpose: To provide the Board with recommendations on how to consistently handle situations where a nurse with substance use or abuse issues may also have chronic pain issues that would leave that nurse ineligible for ISNAP participation. The Chronic Pain/Monitoring Subcommittee should look closely to the ISNAP program as a resource on how to structure a monitoring program and for lessons learned. The goal is to develop protocol for a consistent approach by the Board for nurses dealing with chronic pain issues.

Members:

Carolyn Slagle, Board Member
Jerry Burghduff, Board Member
Chuck Lindquist, ISNAP Program Director
Sue Callahan, Gallahue Mental Health
Joan Schneider, Social Worker
Harriet Rumschlag, Mental Health Counselor
Tony Trimble, Mental Health Counselor
James Ryser, Chronic Pain Rehab and Chemical Dependency Services with Clarian Health
Regina Haight, Chronic Pain Rehab and Chemical Dependency Services with Clarian Health

Timeline:

Meetings will be determined by the subcommittee members. The subcommittee will report their recommendations and their status before the Nursing Board at their August 21, 2008 meeting.

Board Action: A motion was made and seconded to approve the creation of the Education Subcommittee and Chronic Pain/Monitoring Subcommittee along with approving the list of members and timelines provided above.

LAUX/OGLE
Motion carried 6-0-0

VI. EDUCATION

1. Indiana University – Purdue University, Fort Wayne – Suspension of Associate of Science Program

Linda Meyer appeared before the Board in regards to the suspension of Indiana University – Purdue University Associate of Science Program. Ms. Meyer explained that in accordance with 848 IAC 1-2-2, IUPUI – Fort Wayne is notifying the Board of suspension of the Associate of Science with a major in nursing after the admission of the spring 2009 class.

Board Action: A motion was made and seconded to approve Indiana University – Purdue University, Fort Wayne's notification of suspension of their Associate of Science Program.

LAUX/NARWOLD
Motion carried 6-0-0

2. Ball State University – Request for Approval of the International Nursing Experience for Summer of 2008.

Nancy Dillard appeared before the Board in regards to Ball State University's request for approval of the International Nursing Experience for summer of 2008. Ms. Dillard informed the Board that the students attending the University of Worcester in Worcester, England will complete class and clinical experience the first half of the summer or five weeks in Indiana. The second half of the summer, students will attend five weeks class on campus via live videoconferencing with Ball State faculty teaching. Ms. Dillard also informed the Board that Ball State University has a partnership with the University of Worcester. Ms. Dillard explained that there will be four to five students in the clinical group.

Board Action: A motion was made and seconded to approve Ball State University's request once the Board receives material regarding the course.

LAUX/OGLE
Motion carried 5-0-1 Ms. McIntosh abstained.

3. University of St. Francis – Survey Report for ASN Program

Margaret Stoffregen-DeYoung appeared before the Board in regards to the survey report conducted on March 3, 2008 by Paulette Worcestor, State Surveyor and Lynda Narwold, Nursing Board Member. Ms. Narwold informed the Board that she and Paulette were very pleased with the status of the program. Ms. Narwold and Ms. Worcestor recommended in their report that the University of St. Francis remain on initial accreditation until the next survey visit, which will occur after the first graduating class.

Board Action: A motion was made and seconded to approve Paulette Worcestor and Lynda Narwold's recommendation for the University of St. Francis.

NARWOLD/BURGHDUFF
Motion carried 6-0-0

4. ITT Technical Institute – New Interim Dean

Keith Protonentis is the new Interim Dean. FYI for the Board.

VII. BOARD DIRECTOR REPORT

Sean Gorman, Board Director, presented his Board Director Report to the Board. Mr. Gorman mentioned a call-out meeting that will be scheduled before the next Board meeting, which is April 17, 2008. The purpose of the call-out meeting is to form a subcommittee for Advanced Practice Nurses.

Mr. Gorman also reminded the Board of the Salute to Nurses luncheon on April 29, 2008.

VIII. PERSONAL APPEARANCES

A. Appearances for Applicants by Licensure

1. Mark Cassity

Mr. Cassity appeared before the Board regarding the positive response on his endorsement LPN and RN applications. Mr. Cassity informed the Board that he was charged with assault 2 and suspended imposition

of sentence with three years of probation and anger management class on April 12, 2007. Mr. Cassidy informed the Board that he has completed his requirements and is no longer on probation.

Board Action: A motion was made and seconded to approve Mark Cassidy's LPN and RN applications for licensure by endorsement.

SLAGLE/BURGHDUFF
Motion carried 6-0-0

2. Brooke Hughes

Ms. Hughes appeared before the Board regarding the positive response on her endorsement application. Ms. Hughes received a misdemeanor ticket for open container in May or June of 2005. Ms. Hughes stated she paid the \$75.00 fee and no further action was required. Ms. Hughes also informed the Board that she had three misdemeanors of illegal possession of alcohol by a minor. The most recent was November of 2001. Ms. Hughes stated that she paid the fines. Ms. Hughes stated she currently has active licenses in Missouri and California.

Board Action: A motion was made and seconded to approve Brook Hughes application by endorsement.

BURGHDUFF/NARWOLD
Motion carried 6-0-0

3. Varre Wallace

Mr. Wallace did not appear before the Board. The Board requested he be rescheduled for the April meeting.

4. Tracy Chandler

Ms. Chandler did not appear before the Board. Ms. Chandler requested that the Board review her file as she lives out of the state and will not be able to appear before the Board. Marcia Laux, Board Member, reviewed and approved Ms. Chandler's application by endorsement.

5. Mary Jo Jacobs

Ms. Jacobs appeared before the Board regarding her endorsement application. Ms. Jacobs did not indicate on her endorsement application that she had been disciplined in the State of Illinois. Ms. Jacobs informed the Board that the incident occurred in 1976. Ms. Jacobs stated that her date of sobriety is August 7, 1976. Ms. Jacobs informed the Board that she is currently licensed in Michigan and Illionis.

Board Action: A motion was made and seconded to approve Mary Jo Jacobs application by endorsement.

SLAGLE/BURGHDUFF
Motion carried 6-0-0

IX. ADMINISTRATIVE HEARINGS

A. The following hearings were continued:

- 1. State of Indiana v. Dianne Gill, R.N., License No. 28056299A**
Administrative Cause No. 96 NB 029
Re: Request for Reinstatement
- 2. State of Indiana v. Mildred Joy Evans, L.P.N., License No. 27021529A**
Administrative Cause No. 2008 NB 011
Re: Disciplinary Hearing
- 3. State of Indiana v. Leslie Orr, L.P.N., License No. 27048277A**
Administrative Cause No. 2008 NB 014
Re: Disciplinary Hearing
- 4. State of Indiana v. Amy Hughes, R.N., License No. 28133771A**
Administrative Cause No. 2002 NB 0066
Re: Order to Show Cause

- B. State of Indiana v. Linda Neely, L.P.N., License No. 27029060A**
Administrative Cause No. 2005 NB 0109

Re: Order to Show Cause

Parties and Counsel Present:

Linda Neely Respondent
Laura Wilford, Deputy Attorney General for State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Narwold
Ms. McIntosh
Ms. Laux
Ms. Ogle

Case Summary: Respondent's license was placed on Probation at the November 17, 2005 meeting. Findings of Fact and Order filed December 29, 2005. Order to Show Cause filed February 14, 2008.

Board Action: A motion was made and seconded to require the Respondent to pay a fine in the amount of \$500.00 dollars within ninety (90) days, complete community service as outlined in the Final Order.

SLAGLE/LAUX
Motion carried 5-0-0

C. State of Indiana v. Marsha Butcher (Catchings), L.P.N., License No. 27038964A

Administrative Cause No. 2003 NB 0023
Re: Request to Withdraw Probation

Parties and Counsel Present:

Marsha Butcher (Catchings) Respondent
Morgan Wills, Deputy Attorney General for State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Narwold
Ms. McIntosh
Mr. Burghduff
Ms. Laux
Ms. Ogle

Case Summary: Respondent's license was placed on Indefinite Probation at the August 17, 2006 Board meeting. The Findings of Fact, Conclusions of Law and Order was filed August 31, 2006.

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

SLAGLE/OGLE
Motion carried 6-0-0

D. State of Indiana v. Brenda Settle, L.P.N., License No. 27033038A

Administrative Cause No. 2004 NB 0217
Re: Request to Withdraw Probation

Parties and Counsel Present:

Brenda Settle, Respondent
Morgan Wills, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Ogle
Ms. Narwold
Ms. McIntosh
Ms. Laux
Mr. Burghduff

Case Summary: Respondent's license was placed on Indefinite Probation at the February 17, 2004 Board meeting. The Findings of Fact and Order was filed on February 28, 2005.

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

SLAGE/BURGHDIFF
Motion carried 6-0-0

E. State of Indiana v. Sharon Schmidt, R.N., License No. 28130964A

Administrative Cause No. 2004 NB 0053
Re: Request to Withdraw Probation

Parties and Counsel Present:

Sharon Schmidt, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Ogle
Ms. Narwold
Ms. Laux
Mr. Burghduff
Ms. McIntosh

Case Summary: Respondent's license was placed on Indefinite Probation at the December 16, 2004 Board meeting. The Findings of Fact, Ultimate Findings of Fact, Conclusion of Law and Order was filed January 7, 2005.

Board Action: A motion was made and seconded to deny Respondent's request to withdraw probation. Further, the Board modified her Probation Order by requiring the Respondent to remain on Probation until the Probation is lifted from her employer.

SLAGLE/OGLE
Motion carried 6-0-0

F. State of Indiana v. Pamela Gayle Boylls, L.P.N., License No. 27018694A

Administrative Cause No. 2005 NB 0077
Re: Request to Withdraw Probation

Parties and Counsel Present:

Pamela Gayle Boylls, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Ogle
Ms. Narwold
Ms. Laux
Ms. McIntosh

Case Summary: Respondent's license was placed on Indefinite Probation at the October 20, 2005 Board meeting. Findings of Fact and Order filed December 14, 2005.

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

SLAGLE/OGLE
Motion carried 5-0-0

G. State of Indiana v. Barbara Jo Hurst, L.P.N., License No. 27023216A

Administrative Cause No. 2006 NB 0088
Re: Request to Withdraw Probation

Parties and Counsel Present:

Barbara Jo Hurst Respondent
Morgan Wills, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)

Ms. Narwold
Ms. Valentino
Ms. Laux
Mr. Burghduff
Ms. McIntosh

Case Summary: Respondent's license was placed on Indefinite Probation at the April 19, 2007 Board meeting. The Findings of Fact, Conclusion of Law and Order was filed May 10, 2007.

Board Action: A motion was made and seconded to withdraw the Probation.

SLAGLE/LAUX
Motion carried 5-0-1 Ms McIntosh abstained.

H. State of Indiana v. Catheryn Cummins, L. P.N., License No. 27039268A

Administrative Cause No. 2007 NB 018

Re: Order to Show Cause

Parties and Counsel Present:

James Drake, Respondent
Morgan Wills, Deputy Attorney General for the State of Indiana

Witness for the State:

Chuck Lindquist

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Ogle
Ms. Narwold
Ms. Laux
Ms. McIntosh
Mr. Burghduff

Case Summary: Respondent's license was placed on Indefinite Probation at the May 16, 2007 Board meeting. The Findings of Fact and Order was filed on May 23, 2007. The Order to Show Cause was filed on February 19, 2008.

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

SLAGLE/BURGHDUFF SLAGLE/LAUX
Motion carried 6-0-0 Motion carried 6-0-0

I. State of Indiana v. Sharon Ann Kontra, R.N. License No. 28085679A

Administrative Cause No. 98 NB 009

Re: Request for Reinstatement

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. Slagle (Hearing Officer)
Ms. Ogle
Ms. Narwold
Ms. Laux
Ms. McIntosh
Mr. Burghduff

Case Summary: Respondent's license was placed on Indefinite Suspension at the April 20, 1998 Board meeting. The Findings of Fact and Order was filed on January 4, 2001.

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

SLAGLE/BURGHDUFF
Motion carried 6-0-0

- J. State of Indiana Teri Griffis, L.P.N., R.N., License Nos. 27028976A & 28106456A**
Administrative Cause No. 2004 NB 0186
Re: Request to Reinstate

Parties and Counsel Present:

Teri Griffis, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Ogle
Ms. Narwold
Ms. Laux
Ms. McIntosh
Mr. Burghduff

Case Summary: Respondent's license was placed on Indefinite Suspension at the January 23, 2006 Board meeting. The Final Order was filed on March 20, 2006.

Board Action: A motion was made and seconded to reinstate the Respondent's licenses on indefinite probation after she submits to the Board proof that she has successfully completed three (3) continuing education units in physical assessment *and* three (3) continuing education units in legal and ethical issues. These classes must be completed within three (3) months of the date of this order. Respondent may petition to have the probationary order withdrawn one year after her probationary period begins.

SLAGLE/MCINTOSH
Motion carried 6-0-0

- K. State of Indiana v. Rhonda Monday R.N., License No. 28151359A**
Administrative Cause No. 2005 NB 0148
Re: Request to Withdraw Probation

Parties and Counsel Present:

Rhonda Monday, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

Respondent's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Ogle
Ms. Narwold
Ms. Laux
Mr. Burghduff

Case Summary: Respondent's license was placed on Indefinite Probation at the November 16, 2006 Board meeting. The Findings of Fact, Conclusions of Law and Order was filed on November 29, 2006.

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

SLAGLE/LAUX
Motion carried 6-0-0

- L. State of Indiana v. Derek Kuehner, L.P.N., License No. 27059768A**
Administrative Cause No. 2007 NB 0098
Re: Request to Withdraw Probation

Parties and Counsel Present:

Derek Kuehner, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana.

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Narwold

Ms. Laux
Ms. Ogle
Ms. McIntosh

Case Summary: The Respondent's license was placed on Indefinite Probation at the July 19, 2007 Board meeting. The Decision on License Application was filed on July 30, 2007.

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

SLAGLE/LAUX
Motion carried 5-0-0

M. State of Indiana v. Matthew Stevens, R.N. License No. 28155064A

Administrative Cause No. 2005 NB 0046
Re: Preliminary and Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear and was not represented counsel.
Morgan Wills, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Ogle
Ms. Narwold
Ms. Laux
Mr. Burghduff
Ms. McIntosh

Case Summary: Respondent's license was placed on Emergency Suspension at the February 17, 2005 Board meeting. An Agreement for Voluntary Suspension was filed on February 17, 2005. A Complaint was filed on August 29, 2007 alleging the Respondent violated two (2) counts of Indiana Code 25-1-9-4.

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

SLAGLE/BURGHDUFF
Motion carried 6-0-0

N. State of Indiana v. Jo Ann Sims, L.P. N., License No. 27047686A

Administrative Cause No. 2005 NB 0019
Re: Request to Withdraw Probation

Parties and Counsel Present:

Jo Ann Sims Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Narwold
Ms. Laux
Mr. Burghduff

Case Summary: Respondent's license was placed on Indefinite Probation at the April 21, 2005 Board meeting. The Final Order and Approval was filed on May 16, 2005.

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

SLAGLE/BURGHDUFF
Motion carried 6-0-0

O. State of Indiana v. Jolinda Garrison L.P.N., License No. 27034785A

Administrative Cause No. 1995 NB 048
Re: Order to Show Cause

Parties and Counsel Present:

Jolinda Garrison, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

Witness for the Respondent:

Chuck Lindquist , ISNAP Program Director
Linda Barnes

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Ogle
Ms. Narwold
Ms. Laux
Mr. Burghduff
Ms. McIntosh

Case Summary: Respondent's license was placed on Indefinite Probation at the May 20, 2004 Board meeting. The Findings of Fact, Conclusions of Law and Order was filed on June 8, 2004. An Order to Show Cause was filed on February 27, 2008.

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of ten (10) years. Prior reinstatement, Respondent must have one full year of compliance with ISNAP, pay a fine in the amount of \$1000.00 dollars to IPLA and pay costs to the AG.

BURGDUFF/NARWOLD
Motion carried 6-0-0

P. State of Indiana v. Amanda Lynn May, R.N., License No. 28133308A

Administrative Cause No. 2008 NB 013
Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel
Morgan Wills, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Ogle
Ms. Narwold
Ms. McIntosh
Mr. Burghduff

Case Summary: A Complaint was filed on February 25, 2008 alleging the Respondent violated one count of Indiana Code 25-1-9-4.

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

SLAGLE/NORWALD
Motion carried 5-0-0

Q. State of Indiana v. Dennis Thompson, L.P.N., License No. 27044408A

Administrative Cause No. 2001 NB 0026
Re: Order to Show Cause

Parties and Counsel Present:

Dennis Thompson, Respondent.
Laura Wilford, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Narwold
Ms. Laux
Ms. McIntosh
Mr. Burghduff
Ms. Ogle

Case Summary: Respondent's license was placed on Indefinite Probation at the June 15, 2006 Board meeting. The Findings of Fact, Conclusions of Law and Order was filed on June 26, 2006. An Order to Show Cause was filed on February 27, 2008.

Board Action: A motion was made and seconded to issue a Letter of Reprimand and place the Respondent's license on Indefinite Suspension for a period of ninety (90) days. Prior to petitioning for reinstatement, Respondent must have ninety (90) days of compliance with ISNAP.

SLAGLE/LAUX
Motion carried 6-0-0

R. State of Indiana v. Felicia Charlene Rutherford, L.P.N., License No. 27035433A

Administrative Cause No. 2007 NB 0181

Re: Disciplinary Hearing

Parties and Counsel Present:

Felicia Charlene Rutherford, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Narwold
Ms. Laux
Ms. McIntosh
Mr. Burghduff
Ms. Ogle

Case Summary: A Complaint was filed on December 4, 2007 alleging the Respondent violated two 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. Additionally, the Board referred the Respondent to ISNAP. Respondent must obtain an evaluation and submit the complete results to the Board and pay a fine in the amount of \$250.00 dollars.

SLAGLE/BURGDUFF
Motion carried 6-0-0

S. State of Indiana v. Gladys Ruth Smith, L.P.N., License No. 27033557A

Administrative Cause No. 2007 NB 0161

Re: Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Narwold
Ms. McIntosh
Mr. Burghduff
Ms. Ogle

Case Summary: A Complaint was filed on November 7, 2007 alleging the Respondent violated one count of Indiana Code 25-1-9-4.

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

SLAGLE/BURGHDUFF
Motion carried 5-0-0

A motion was made and seconded to extend the Summary Suspension for an additionally ninety (90) days.

SLAGLE/BURGHDUFF
Motion carried 5-0-0

- T. State of Indiana v. Julie Diane Pemberton, L.P.N., R.N., License Nos. 27049053A & 28160002A**
Administrative Cause No. 2007 NB 093
Re: Disciplinary Hearing, Motion to Quash Subpoena & Response to Tara Ryan's Motion to Quash Subpoena

Parties and Counsel Present:

Julie Pemberton, Respondent
Morgan Wills, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Narwold
Ms. McIntosh
Mr. Burghduff
Ms. Ogle
Ms. Laux

Case Summary: A Complaint was filed on December 3, 2007 alleging the Respondent violated three counts of Indiana Code 25-1-9-4.

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

SLAGLE/BURGHDUFF
Motion carried 6-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of five (5) years. Prior to petitioning for reinstatement, Respondent must complete her ISNAP RMA and remain in full compliance with that RMA during the length of the contract, pay a fine in the amount of \$1000.00 dollars and costs to the Attorney General's Office.

SLAGLE/BURGHDUFF
Motion carried 6-0-0

X. NOTICE OF PROPOSED DEFAULTS

- A. State of Indiana v. Debra Robertson, R.N., License No. 28097726A**
Administrative Cause No. 2006 NB 0162
Re: Request to modify Probation

Parties and Counsel Present:

Steven Johnsonbaugh, Counsel for Respondent
Debra Robertson, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Narwold
Ms. Laux
Mr. Burghduff
Ms. McIntosh
Ms. Ogle

Case Summary: Respondent's license was placed on Indefinite Probation at the September 20, 2007 Board meeting. The Findings of Fact and Order was filed on September 27, 2007.

Board Action: A motion was made and seconded to Modify the Respondent's Probation.

SLAGLE/NORWALD
Motion carried 6-0-0

- B. State of Indiana v. Theodore Palemon Santistevan, L.P.N., License No. 27046788A**
Administrative Cause No. 2008 NB 015
Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.

Morgan Wills, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Narwold
Ms. Laux
Mr. Burghduff
Ms. Ogle
Ms. McIntosh

Case Summary: A Complaint was filed on February 25, 2008 alleging the Respondent violated eight counts of Indiana Code 25-1-9-4. Respondent also applied for renewal of his license.

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

SLAGLE/BURGHDUFF
Motion carried 6-0-0

A motion was made and seconded to deny the renewal application.

SLAGLE/BURGHDUFF
Motion carried 6-0-0

XI. DELIBERATION AND POSSIBLE ISSUANCE OF FINAL ORDERS

A. Settlement Agreements

- 1. State of Indiana v. Bonita Harris, L.P.N. License No. 27052684A**
Administrative Cause No. 2008 NB 005
Re: Settlement Agreement

Parties and Counsel Present:

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

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Narwold
Ms. Laux
Mr. Burghduff
Ms. Ogle
Ms. McIntosh

Case Summary: A Proposed Settlement Agreement was presented to the Board. The Agreement included, placing the Respondent's license on Indefinite Probation for no less than one (1) year. Further, Respondent must have her employer sign her Final Order and have quarterly reports. Respondent must have six continuing education credits in medication and twelve continuing education credits in anger management. Respondent must pay a fine in the amount of \$500.00 dollars to IPLA.

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

SLAGLE/OGLE BURGHDUFF Abstained.
Motion carried 5-0-1

- 2. State of Indiana v. James Lee Busch, L.P.N., License No. 27049297A**
Administrative Cause No. 2007 NB 0184
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

Participating Board Members:

Ms. Slagle (Hearing Officer)
Ms. Narwold
Ms. Laux
Mr. Burghduff

Ms. Ogle
Ms. McIntosh

Case Summary: A Complaint was filed on December 18, 2007 alleging the Respondent violated one count of Indiana Code 25-1-9-4. A Proposed Settlement Agreement was filed on March 14, 2008. Respondent is to pay a fine in the amount of \$250.00 dollars to IPLA within ninety (90) days of the Final Order.

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

SLAGLE/BURGHDUFF
Motion carried 6-0-0

- 3. State of Indiana v. Madeline Andrea Riley, R.N., N.P., License Nos. 28156269A & 71001527A**
Administrative Cause No. 2007 NB 0126
Re: Settlement Agreement

Parties and Counsel Present:
Madeline Andrea Riley, Respondent
Morgan Wills, Deputy Attorney General for the State of Indiana

Participating Board Members:
Ms. Slagle (Hearing Officer)
Ms. Narwold
Ms. McIntosh
Ms. Laux
Mr. Burghduff

Case Summary: A Settlement Agreement was presented to the Board. The Agreement included placing only the Respondent's prescriptive authority license on Indefinite Probation for a period of six (6) months. Prior to petitioning for reinstatement, Respondent must have twelve (12) continuing education credits and pay a fine in the amount of \$1000.00 dollars.

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

SLAGLE/NARWOLD BURGHDUFF abstained
Motion carried 5-0-1

- 4. State of Indiana v. Julie Crick, R.N., License No. 28062250A**
Administrative Cause No. 2007 NB 83
Re: Settlement Agreement

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. Slagle (Hearing Officer)
Ms. Narwold
Ms. McIntosh
Ms. Laux
Mr. Burghduff

Case Summary: A Settlement Agreement was filed on February 25, 2008. The Agreement included placing the Respondent's license on Indefinite Suspension. Prior to petitioning for reinstatement, Respondent shall have three (3) months of complete compliance with her RMA and pay a fine in the amount of \$500.00.

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

SLAGLE/LAUX
Motion carried 6-0-0

A motion was made and seconded to set aside the Notice of Proposed Default

SLAGLE/LAUX 6-0-0
Motion carried

5. State of Indiana v. Kathleen Warne Herod, L.P.N., License No. 27021450A

Administrative Cause No. 2008 NB 012

Re: Settlement Agreement

Parties and Counsel:

Respondent did not appear and was not represented by counsel.

Morgan Wills, Deputy Attorney General for the State of Indiana

Participating Board Members:

Ms. Slagle (Hearing Officer)

Ms. Narwold

Ms. McIntosh

Ms. Laux

Mr. Burghduff

Case Summary: A Settlement Agreement was filed on March 19, 2008. The Agreement included a Letter of Reprimand and Respondent must have six (6) continuing education credits as outlined in the Final Order within 90 days of the Final Order.

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

SLAGLE/BURGHDUFF 5-0-0

XII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Nursing adjourned at 6:30 p.m.

Carolyn Slagle, R.N., C.N.S., President

Date

Jerry Burghduff, L.P.N., Secretary

Date