

**INDIANA STATE BOARD OF NURSING**

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

**MINUTES OF NOVEMBER 18, 2004**

Laurie Peters, R.N., President, called the meeting to order at 8:35 a.m. and declared a quorum in accordance with IC 25-23-1-5.

Members Present: Laurie Peters, R.N., President  
Mervin Helmuth, R.N., Vice President  
Darla Jones, L.P.N., Secretary  
Susan Dye, R.N., Member  
Traci Little, JD, Consumer Member  
Ann Parker, R.N., Member

Members Absent: Janis Shook, L.P.N., Member  
Laurel Valentino, R.N., Member  
Carolyn Slagle, R.N., C.N.S., Member

Staff Present: Jody Edens, Assistant Board Director  
Health Professions Bureau  
Dawn Shaffer, Case Manager  
Health Professions Bureau  
Gordon White, Deputy Attorney General  
Office of the Attorney General

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

Jones/Dye, 5/0/0

The Board voted to table the minutes of the October 21, 2004 meeting.

CONSENSUS

Let the record reflect that board member, Traci Little, JD, arrived at the meeting.

## **INDIANA STATE NURSES ASSISTANCE PROGRAM**

Tom Renkes, National Clinical Coordinator, presented their monthly report as of October 31, 2004. They have 456 Nurses involved with ISNAP. During the past month they conducted 21 intakes and there were a total of 16 licensees discharged for various reasons. Educational outreach remains a high priority. As part of their educational outreach they met with nurse executives at the IONE conference and have been doing nurse manager meetings as well. Fairbanks Hospital has graciously agreed to host the first provider meeting tentatively set for January 2005.

Tom addressed the students.

### **DISCUSSION**

In the Matter of DELTONA TIBBETS-FIGLIOLA, RN, NP  
RE: Petition to Surrender Nursing License & Motion to Amend Petition to Surrender Nursing License & Amended Petition to Surrender Nursing License, Cause No. 2004 NB 0049 License No. 28157832A & 71001589A/B – Mr. Gordon White addressed the Board regarding this issue. Sara Matticks, Deputy Attorney General was present to represent the State of Indiana. Ms. Tibbetts-Figliola was not present and did not have counsel present regarding this matter. Mr. White gave the Board a brief status report of where this matter stands. He suggested that the Board consider setting this matter for the December meeting to hear both sides of this issue. After discussion the Board moved to CONTINUE this matter and to have it set for hearing at the December 2004 meeting.

Peters/Dye, 6/0/0

At the request of Sara Matticks, Deputy Attorney General the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Helmuth/Parker, 6/0/0

Ancilla College – Request for curriculum and credit hour change – Ann Fitzgerald, RN, MSN, FNP-C, Director, School of Nursing and Dr. Bob Aventi, President were present to address this matter. They informed the Board that they are seeking NLN accreditation and in order to do this they must decrease the number of credit hours from 88 to 72. NLN has a requirement of 68 to 72 credit hours. They assured the Board that this does not affect any of the Nursing courses. They plan on implementing this with the new class in the fall. After discussion the Board moved to APPROVE this request.

Helmuth/Dye, 6/0/0

Indiana State University – Online LPN to BSN program – Dr. Mary Bennett and Esther Acree were present from Indiana State University (ISU). Joan Isaacs, Attorney was present to represent ISU in this matter. In October 2003, the Board approved an LPN to BSN program at Indiana State University. However, at the time this was approved it was for an on-campus program. Representatives from the Board and from Indiana State University have had several meetings to discuss the impact/problems of an on-line program. The representatives from ISU have been able to satisfy the Board concerns regarding the on-line program. After discussion the Board moved to APPROVE the program. The Board requested that a new approval letter be sent to ISU.

Parker/Jones, 3/0/3 with Mervin Helmuth, Laurie Peters and Susan Dye abstaining

Michiana College, Fort Wayne – Application for LPN program – Representatives from Michiana College in Fort Wayne were present to discuss this matter with the Board. Their start date is scheduled for April 2005. They will admit 25 students each month. Approximately 275 students will be enrolled but they will be at all different levels in the program. The Board expressed concern about the faculty, in their report it looks like the majority of the faculty will be adjunct faculty. They chart was explained to the Board and they were assured that the majority will be full time faculty. The Board requested that additional information on the following:

- Faculty and adjunct assignments
- Evaluation plan update
- How frequently do faculty meetings occur

After discussion, the Board moved to APPROVE the LPN program upon receipt of the additional information requested. Once the information is received and reviewed the program will be scheduled for a site visit.

Helmuth/Parker, 6/0/0

Upon request of Hanna Asiem, MSN, RN, the Board reviewed documents for a name change for Michiana College. After discussion the Board determined that this was not a change of ownership and GRANTED the change of name. The College will now be known as Brown Mackie College.

#### CONSENSUS

Ivy Tech State College – Application for Paramedic to ASN program – Dr. Richard Straight, Jan Kramer, MSN, RN and Kim Cooper, MSN, RN were present to discuss this matter. Ms. Kramer informed the Board that the start date of this program is January 2005. They will admit up to ten (10) students at the Terre Haute campus. They previously did a focus study and over sixty (60) people attended that might be interested in the program. They will be adding one (1) more full time faculty position. They will maintain a ratio of 1-10. Health Care Arena is partially financing this program. The Anderson and Lafayette campuses are showing a bit of interest in

this program also and may consider it in the future. The Budget has already been approved. After discussion, the Board moved to APPROVE this program pending a site visit. The Board requested that a site visit be scheduled as soon as possible.

Helmuth/Parker, 5/0/1, with Ms. Peters abstaining

### **PERSONAL APPEARANCES**

#### **EXAMINATION APPLICANTS**

**Charles Joseph Boswell** – Applicant did appear in person and was not represented by counsel regarding a positive response on his examination application. Mr. Boswell informed the Board that he has contacted ISNAP. He has currently passed his examination. After discussion the Board moved to APPROVE Mr. Boswell for licensure upon signing a contract with ISNAP or has been deemed not eligible for the program.

Peters/Jones, 6/0/0

**Stephanie Michelle Gibson** – Applicant did appear in person and was not represented by counsel regarding a positive response on her examination application. Ms. Gibson informed the Board that she had been charged with two counts of illegal possession of alcohol and one count of contributing to a minor. She pled guilty to all three. After discussion the Board moved to APPROVE Ms. Gibson to take the examination and upon successful completion of the examination to become licensed.

Jones/Dye, 4/1/1, with Ms. Peters objecting and Mr. Helmuth abstaining

#### **RENEWAL APPLICANTS**

**Patricia Joy Gaddie, LPN, License No. 27047457A** – Applicant did appear in person and was not represented by counsel regarding a positive response on her renewal application. Ms. Gaddie informed the Board that her Husband was arrested and the evidence was put before a grand jury and she was indicted too. She insisted that she knew nothing about the drugs that were found in her house. They were her Husbands. The criminal case is pending. After discussion the Board moved to RENEW Ms. Gaddie's license and requested that a complaint be filed with the Attorney General's Office for further investigation.

Helmuth/Dye, 6/0/0

**Debra Lynn Owens, LPN, License No. 27016875A** – Applicant did not appear in person and was not represented by counsel regarding a positive response on her renewal application. Joyce Brown, Case Manager with ISNAP testified that the

Applicant's ISNAP contract is in the process of being closed for major non-compliance. She has had several positive urine drug screens and has missed at least three (3) urine drug screens. ISNAP informed her that she needed to stop working and the Applicant told ISNAP she was not going to continue with their program. After discussion the Board moved to DENY Ms. Owens renewal.

Jones/Dye, 6/0/0

**Estel Lee Simpson, LPN, License No. 27043762A** – Applicant did appear in person and was not represented by counsel regarding a positive response on his renewal application. Mr. Simpson informed the Board that he had just worked a double shift and pulled over to use his cell phone. A police officer pulled over behind him and requested that he take a Breathalyzer and Field Test. He successfully passed both tests. The Officer then asked him to take a blood test, Mr. Simpson refused. The Officer found his wife's Darvocet prescription in the car and he was charged with possession of a narcotic. The Darvocet's were not in the prescription bottle they were in a white bottle. He indicated that his wife has since passed away and he is a father of three (3) children. After discussion the Board moved to RENEW Mr. Simpson's license.

Helmuth/Jones, 6/0/0

**Eileen Theresa Wendt, LPN, License No. 27048115A** – Applicant did appear in person and was not represented by counsel regarding a positive response on her renewal application. Ms. Wendt has criminal charges pending for Manufacturing a Controlled Substance, Possession of Marijuana and dried Mushrooms, Maintaining a Common Nuisance and Possession of Paraphernalia. She admitted to smoking Marijuana as a teenager but told the Board she has never smoked as an Adult. She said her Husband is taking full responsibility for all the items found at their house. She didn't even know it was there, however she did know that her Husband occasionally smoked Marijuana. Joyce Brown, Case Manager with ISNAP indicated to the Board that Ms. Wendt has been evaluated by ISNAP and is a candidate for the program. After discussion the Board moved to RENEW Ms. Wendt's license

Helmuth/Peters, 6/0/0

### **ADMINISTRATIVE HEARINGS**

The following hearings were continued.

**David Edward Hickman, LPN, RN, License No. 27014534A, Cause No. 2004 NB 099**  
**Sheila Lavonne Devore, LPN, License No. 27031155A, Cause No. 2004 NB 0117**

Let the record reflect that Darla Jones, LPN was not in attendance for the following hearings

**Brian Scott Edwards, RN, License No. 28109841A, Cause No. 96 NB 0006**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Gloria Klutzke. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a Notice of Proposed Default.

Helmuth/Dye, 5/0/0

**Sally R. Trumbo, LPN, License No. 27045315A, Cause No. 2004 NB 0089**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Gloria Klutzke. Ms. Wilford informed the Board that the Respondent is currently on Summary Suspension and they now have a current address for her. Her house had burnt down and she has moved about seven (7) times since. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Dye, 5/0/0

The Board further ordered that this matter be set for a final Hearing.

Peters/Helmuth, 5/0/0

Let the record reflect that Darla Jones re-joined the meeting.

**Margaret Ann Gramza, LPN, License No. 27018532A, Cause No. 2003 NB 0089**

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Dye, 6/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 6/0/0

**Donitta Kaye Sinderson, RN, License No. 28130307A, Cause No. 2004 NB 0210**

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent's ISNAP contract has been closed for non-compliance. Ms. Matticks informed the Board that the Respondent does not object to the Summary Suspension. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 6/0/0

**Jeffrey Arnold Ziegler, LPN, License No. 27046776A, Cause No. 2003 NB 0195**

Respondent did not appear in person and was not represented by counsel regarding a Settlement Agreement scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. A settlement agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by James Holden, Deputy Attorney General. The settlement included a LETTER OF REPRIMAND and four (4) hours of Continuing Education. The continuing education should focus on documentation, charting and medication administration. The Respondent will also be required to pay cost of \$100.00. After having considered the evidence presented and taking official notice of its file in this matter the Board moved ACCEPT the settlement agreement.

Peters/Helmuth, 6/0/0

**Kim Winona Atkins, RN, License No. 28155443A, Cause No. 2004 NB 0106**

Respondent did appear in person and was not represented by counsel regarding a Settlement Agreement 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 Charlotte Hedrick. Joyce Brown was sworn in as a witness for the State. Wayne Atkins was sworn in as a witness for the Respondent. Ms. Brown testified that the Respondent's ISNAP contract was previously closed for non-compliance. She also indicated that the Respondent is currently in a new intake process and her RMA was mailed out to her on November 16, 2004. Ms. Atkins indicated that her sobriety date was May 11, 2004 and that she was non-compliant with her first contract due to sexual harassment by Michael Denton. She has since filed a sexual harassment charge against Mr. Denton. She informed the Board that she completed an IOP with Prairie Center in August 2004 and is enrolled in their after care program. Mr. Atkins testified that he is the Respondent's husband and that she is not taking drugs or drinking. He is committed to helping her stay sober. After having considered the evidence presented, testimony of the witnesses and taking official notice of its file in this matter the Board moved to place the Respondent's

license on INDEFINITE PROBATION for the length of her ISNAP contract. The Board further ordered the Respondent to sign her ISNAP contract with in thirty (30) days from the date of this hearing and ordered the Respondent to pay a \$250.00 fine with in ninety (90) days.

Helmuth/Little, 6/0/0

Let the record reflect that Laurie Peters was not in attendance for the following hearing.

**Patty Lynn Henshaw, RN, LPN, License No. 28145690A & 27044298A, Cause No. 2004 NB 0035**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Jones/Dye, 5/0/0

The Board further requested that the Respondent's renewal be flagged so that she cannot renew until this matter is complete.

CONSENSUS

Let the record reflect that Laurie Peters re-joined the meeting during the following hearing.

**Deloris Jean Williams, LPN, License No. 27015123A, Cause No. 2003 NB 0060**

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Jenna Stewart, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Joyce Brown was sworn in as a witness for the State. Ms. Brown testified that the Respondent has signed her RMA with ISNAP, but she has yet to sign with Compass Vision for her urine drug screens. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on INDEFINITE SUSPENSION until she signs with Compass Vision for her urine drug screens. ISNAP will notify the Board when this has been done. The Respondent's license will then automatically be placed on INDEFINITE PROBATION for a period of one (1) year.

Little/Jones, 5/0/1, with Ms. Peters abstaining



**Shawn E. Julien, RN, License No. 28153838A, Cause No. 2004 NB 0112**

Respondent did not appear in person and was not represented by counsel regarding an Agreed Order scheduled before the Board. The State of Indiana was represented by Laura Stewart, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. An agreement between the Respondent and the Attorney General's Office was presented to the Board by Laura Wilford, Deputy Attorney General. The agreement includes INDEFINITE PROBATION for a period of two (2) years of active nursing practice. The Respondent must also remain compliant with her ISNAP contract. A LETTER OF REPRIMAND will be issued for the renewal fraud. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Peters/Jones, 6/0/0

**Robin Hanlon, LPN, License No. 27042145A, Cause No. 2004 NB 0076**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. An agreement between the Respondent and the Attorney General's Office was presented to the Board by Steven Douglas, Deputy Attorney General. The agreement includes INDEFINITE PROBATION for a period of one (1) year. The Respondent must also re-sign with ISNAP within thirty (30) days. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Peters/Dye, 6/0/0

**Barbara Joy Garcia, LPN, License No. 27019626A, Cause No. 2004 NB 0040**

Respondent did not appear in person and was not represented by counsel regarding a Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 6/0/0

**Wayne Frederick Poland, RN, License No. 28131303A, Cause No. 2003 NB 0160**

Respondent did not appear in person and was not represented by counsel regarding a Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence

presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 6/0/0

**Barbara Lea Decamp, RN, License No. 28134434A, Cause No. 2003 NB 0160**

Respondent did not appear in person and was not represented by counsel regarding a Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Jenna Stewart, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 6/0/0

Let the record reflect that Traci Little was not in attendance for the following hearing.

**Yvonne J. Kerkes-Woods, LPN, License No. 27050229A, Cause No. 2004 NB 0172**

Respondent did not appear in person and was not represented by counsel regarding a Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. An agreement between the Respondent and the Attorney General's Office was presented to the Board by Sara Matticks, Deputy Attorney General. The agreement included RENEWAL of the SUMMARY SUSPENSION for a period of ninety (90) days. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Peters/Dye, 5/0/0

Let the record reflect that Traci Little re-joined the meeting.

**Max Gregory Coomer, RN, License No. 28142386A, Cause No. 2004 NB 0101**

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent's license in Kentucky has been disciplined. The Respondent gave an injection without preparing the patient. The area was not cleaned before or after the injection. He gave the injection through the patient's gown. After having considered the evidence presented

and taking official notice of its file in this matter the Board agrees with the Attorney General's Complaint, however they moved NOT to impose discipline.

Helmuth/Jones, 6/0/0

The Board further requested that the Respondent's license be flagged and that should he try to renew his Indiana license, the State of Kentucky should be contacted concerning the status of his Kentucky license.

#### CONSENSUS

**Ruth D. Jenkins, LPN, License No. 27041736A, Cause No. 2004 NB 0087**

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Joyce Brown, Case Manager with ISNAP was sworn in as a witness for the State. The Respondent tested positive on a pre-employment drug screen. The Respondent's Kentucky license was placed on five (5) years probation for diversion. She has not contacted ISNAP. The Respondent told the Board that her sobriety date is March 26, 2004 and that she has been in the St Jude Women's recovery program for six months. She will be in after-care for five (5) years. Ms. Brown testified that the Respondent started the intake process but as of September 2004 they have not had contact with her. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on INDEFINITE SUSPENSION until the Respondent is compliant with ISNAP. The Respondent's license will then be placed on automatic INDEFINITE PROBATION for the length of the ISNAP contract once ISNAP informs the Board of her compliance.

Peters/Helmuth, 6/0/0

**Barbara Jean Larson, RN, License No. 28103467A, Cause No. 2003 NB 0194**

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. A verbal agreement between the Respondent and the Attorney General's Office was presented to the Board by Sara Matticks, Deputy Attorney General. The agreement included INDEFINITE PROBATION and the Respondent must be evaluated by ISNAP within thirty (30) days. If ISNAP deems the Respondent eligible she must sign a contract, if she is not eligible for the program she can request to have her probation status lifted. The Respondent informed the Board that she does agree to this settlement. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the verbal settlement.

Peters/Helmuth, 6/0/0

**Charlotte A. Hickman, LPN, RN, License No. 27014534A, Cause No. 2004 NB 0096**

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Ms. Coronto was sworn in as a witness for the State. A Resident in a wheelchair was tied with a sheet to a post at the nurse's station. Ms. Coronto informed the Board that the Respondent resigned her position. She said she did not see or speak with anyone about the incident she was only here to authenticate documents. The Respondent informed the Board that she had absolutely nothing to do with this. She did not do it. She said she was certified in Gerontology and knows that you never restrain a patient without a Doctor's order. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to DISMISS this matter.

Peters/Jones, 6/0/0

**Jay Walter Nibbelink, LPN, License No. 27028698A, Cause No. 2004 NB 0100**

Respondent did appear in person and was represented by Mr. Shula regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. A verbal agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Shelly Johnson, Deputy Attorney General. The agreement included INDFEINITE PROBATION for a period of one (1) year. The agreement also included a LETTER OF REPRIMAND and a \$250.00 fine payable with in ninety (90) days. The Board modified the verbal agreement by adding continuing education requirements. The Board requested that the Respondent obtain 3 CEU's each in two of the following areas: patient abuse, ethics, patient rights and anger management. The Respondent agreed to the modification. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the settlement.

Jones/Peters, 5/1/0, with Traci Little objecting

**Judith Diane Wooten, RN, License No. 28109176A, Cause No. 2004 NB 0116**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Helmuth, 6/0/0

At the request of the Board, Shelley Johnson, Deputy Attorney General presented additional evidence for the consideration of an unscheduled summary suspension. Ms. Johnson informed the Board that the Respondent's contract with ISNAP has been closed for non-compliance. After having considered the evidence presented and taking official notice of its file in the matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Jones/Parker, 6/0/0

**Susan N. Lewis, LPN, License No. 27047853A, Cause No. 2004 NB 0052**

Respondent did appear in person and was represented by Doug Amber regarding a Disciplinary Hearing/Renewal Application scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. An agreement between the Respondent, her counsel and the Attorney General's Office was presented to the Board by Steven Douglas, Deputy Attorney General. The agreement included INDEFINITE PROBATION for a period of two (2) years. Respondent must sign a contract with ISNAP if she is deemed a candidate. The Respondent must also obtain three (3) CEU's in each of the following areas: ethics, substance abuse and medication administration. The Respondent must also receive a Psychological evaluation by a Board certified Psychiatrist and send a copy of the report to the Board. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the agreement.

Peters/Helmuth, 6/0/0

**Vicki Kay Thoman, RN, NP, License No. 28086986A & 71000049A/B, Cause No. 2004 NB 0052**

Respondent did appear in person and was represented by Stephen Dillman regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. An agreement between the Respondent, her counsel and the Attorney General's Office was presented to the Board by James Holden, Deputy Attorney General. The agreement included INDEFINITE PROBATION for a period of two (2) years. The agreement also includes a LETTER OF REPRIMAND and a \$250.00 fine payable within ninety (90) days. The agreement also included three (3) CEU's in each of the following areas: ethics and prescriptive authority legal issues. After having considered the evidence presented and taking official notice of its file in the matter the Board moved to APPROVE the agreement.

Peters/Dye, 6/0/0

**Steven George Sack, LPN, License No. 27049374A, Cause No. 2004 NB 0170**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board.

The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Dye, 6/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 6/0/0

**Laura Marie Walter, RN, License No. 28134452A, Cause No. 2004 NB 0209**

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 Charlotte Hedrick. Tom Renkes, ISNAP National Clinical Coordinator was sworn in as a witness for the State. Mr. Renkes testified that the Respondent's case with ISNAP has been closed for non-compliance. He indicated that he believes she is an eminent threat to the public health and safety should she be allowed to continue to practice. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Dye, 6/0/0

**Janice Rene Ingle, RN, License No. 28122855A, Cause No. 2004 NB 0211**

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 Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Tom Renkes, ISNAP National Clinical Coordinator was sworn in as a witness for the State. Mr. Renkes testified that the Respondent's contract with ISNAP has been closed for non-compliance. He indicated that he believes she is an eminent threat to the public health and safety should she be allowed to continue to practice. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 6/0/0

Let the record reflect that Laurie Peters was not in attendance for the following hearing.

**Jennifer Ann Sims, NP, RN, License No. 28114081A, Cause No. 71000358A**

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 Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Tom Renkes, ISNAP National Clinical Coordinator was sworn in as a witness for the State. Mr. Renkes testified that the Respondent's contract with ISNAP was closed for non-compliance. The Respondent testified that she has to do a Breathalyzer test every day she works. She indicated that she recognizes that she has a problem, but does not want to take time away from her family by attending AA meetings. She is a single Mother of three (3) children. Her sobriety date is December 27, 2001 and she indicated that she has not had any relapses. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to DENY the SUMMARY SUSPENSION.

Jones/Dye, 4/0/1, with Mervin Helmuth abstaining

The Board further ordered the Attorney General's Office to file a complaint on this matter and ordered that the hearing should be scheduled for the December 2004 meeting.

Helmuth/Dye, 4/1/0, with Darla Jones objecting

**Angela Faye Bales, LPN, License No. 27033682A, Cause No. 2004 NB 0183**

Respondent did not appear in person and was not represented by counsel regarding a Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Vanessa Atkinson was sworn in as a witness for the State. Ms. Atkinson testified that the Respondent admitted to her that she took the Nubane. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 6/0/0

**Heather Dawn King, LPN, License No. 27049162A, Cause No. 2004 NB 0107**

Respondent did not appear in person and was not represented by counsel regarding a Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 6/0/0

The Board further order to have this matter set for a final hearing at the December 2004 meeting.

Peters/Helmuth, 6/0/0

**Lori Ann Geisleman, RN, License No. 28121653A, Cause No. 2001 NB 082**

Respondent did not appear in person and was not represented by counsel regarding a Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Jenna Stewart, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 6/0/0

**Megan Marie Lively, RN, License No. 28154303A, Cause No. 2004 NB 0047**

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 Jenna Stewart, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Dye, 6/0/0

**Kristina Marie Stamper, LPN, License No. 27041353A, Cause No. 2003 NB 0158**

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 Jenna Stewart, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 6/0/0

**Tamara Sue Stockdale, LPN, License No. 27039419A, Cause No. 2004 NB 0105**

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 James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 6/0/0



**Gilbert Bagu, RN, License No. 28132337A, Cause No. 2004 NB 0182**

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Jones, 6/0/0

**Jamie Lynn Akin, RN, License No. 28159950A, Cause No. 2004 NB 0166**

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 James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent diverted from two (2) facilities in two (2) different states in a three (3) day period. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Helmuth, 6/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of two (2) years and ordered the Respondent to pay a \$500.00 fine with in ninety (90) days.

Peters/Parker, 6/0/0

**Tonya A. Smith-Moore, RN, License No. 281538237A, Cause No. 2004 NB 0189**

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 Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Tom Renkes, ISNAP National Clinical Coordinator was sworn in as a witness for the State. Mr. Renkes testified that the Respondent's case with ISNAP has been closed for non-compliance. He also stated that he believes the Respondent is an eminent threat to the public health and safety if she is allowed to continue to practice. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Helmuth/Jones, 6/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year and ordered the Respondent to be

evaluated by ISNAP and do what they deem necessary. The also ordered the Respondent to pay a \$250.00 fine with in six (6) months.

Little/Peters, 6/0/0

**Debra Bodem, LPN, License No. 27031833A, Cause No. 96 NB 058**

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 Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Tom Renkes, ISNAP National Clinical Coordinator was sworn in as a witness for the State. Mr. Renkes testified that the Respondent's case with ISNAP has been closed for non-compliance. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Helmuth, 6/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year and ordered the Respondent to be evaluated by ISNAP and do what they deem necessary. The also ordered the Respondent to pay a \$250.00 fine with in six (6) months

Peters/Jones, 6/0/0

**Janet Sue Lee, LPN, License No. 27033281A, Cause No. 99 NB 038**

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 Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Tom Renkes, ISNAP National Clinical Coordinator was sworn in as a witness for the State. Mr. Renkes testified that the Respondent's case with ISNAP has been closed for non-compliance. He also stated that he believes the Respondent is an eminent threat to the public health and safety if she is allowed to continue to practice. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Parker, 6/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of two (2) years and ordered the Respondent to be evaluated by ISNAP and do what they deem necessary. If they deem that she should re-sign a contract she must have one (1) year of compliance before she can request reinstatement. The Board also ordered the Respondent to receive a Psychological examination by a Board certified Psychiatrist and send a copy of the report to the

Board no earlier than six (6) months prior to requesting reinstatement of her license. The Board also ordered the Respondent to pay a \$500.00 fine with in six (6) months.

Peters/Helmuth, 6/0/0

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

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 Charlotte Hedrick. Tom Renkes, ISNAP National Clinical Coordinator was sworn in as a witness for the State. Mr. Renkes testified that the Respondent's case with ISNAP has been closed for non-compliance. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Jones/Parker, 6/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year and ordered the Respondent to be evaluated by ISNAP and do what they deem necessary. If they deem she is eligible she must sign a contract and be in compliance before requesting reinstatement of her license. The Board also ordered her to renew her license and pay at \$250.00 fine with in six (6) months.

Peters/Dye, 6/0/0

**Julia Lee Lavallo, LPN, License No. 27041193A, Cause No. 2004 NB 0093**

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 Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent was referred to ISNAP after she tested positive on an employment drug screen. ISNAP has not heard from her. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Jones, 6/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION until the Respondent has been evaluated by ISNAP and does what they deem necessary. The Board also ordered the Respondent to renew her license.

Peters/Dye, 6/0/0

**Carole A. Barry, LPN, License No. 27041533A, Cause No. 2004 NB 0078**

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 Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent's Arizona license has been revoked for diversion. She has had DWI's and OWI's. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Helmuth/Dye, 6/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of two (2) years and ordered the Respondent to receive an evaluation from ISNAP and do what they deem necessary. If ISNAP deems she should sign a contract she must be compliant for one (1) year before she requests reinstatement. The Board also ordered her to renew her license.

Peters/Jones, 6/0/0

**ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS**

The Board approved the following ALJ recommendations submitted by Celinda Kay Leach, R.N.

- Jennipher Forte, RN
- Kelly (Crabtree) Wagler, LPN
- Dawn File, RN
- Theresa Ann Dewey, LPN
- Vivian Wilson, RN
- Stephen Dean Evanoff, LPN
- Doloma O. Kendrick, LPN
- Patricia A. Keller, RN

**APPLICATIONS**

**EXAMINATION APPLICATION**

Asia Yvette Edwards – The Board reviewed Ms. Edwards' examination application. After discussion the Board moved to ALLOW Ms. Edwards to take the examination and upon successful completion of the examination to become fully licensed.

Peters/Helmuth, 6/0/0

ENDORSEMENT APPLICATION

David M. Kersting, RN – The Board reviewed Mr. Kersting’s endorsement application. After discussion the Board moved to TABLE his application until he has a final outcome with his Kentucky license.

Peters/Helmuth, 6/0/0

There being no further business the meeting adjourned at 7:55 p. m.

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Laurie Peters, R.N., President

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Darla Jones, L. P. N., Secretary

