

INDIANA STATE BOARD OF NURSING

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

MINUTES OF OCTOBER 17, 2002

Marsha M. King, R.N., President, called the meeting to order at 8:30 a.m. and declared a quorum in accordance with IC 25-23-1-5.

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

Member Absent: Darla Jones, L.P.N., Secretary

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

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

Shook/Helmuth, 6/0/0

The Board voted to accept the minutes of the September 17, 2002 meeting as corrected.

Thomas/Slagle, 6/0/0

INDIANA STATE NURSES ASSISTANCE PROGRAM

Tom Bissonette, Program Director of the Indiana State Nurses Assistance Program (ISNAP) was present. There are a total of 239 nurses being actively monitored and 33 in the intake process. They are currently doing about 4 intakes per day. They have recently had 8 closures due to noncompliance.

He provided the Board with a preliminary and comprehensive report of the satisfaction survey. The survey was mailed to 267 participants. 120 of the surveys were returned, about 45%. The results showed that about ½ of the participants had no medical coverage and 1/3 reported problems with chronic pain. The overall conclusion appears to reflect a group of participants who are generally satisfied with ISNAP's services. However, there are aspects of the monitoring agreement that participants find either not useful or slightly un-useful. Tom indicated that he plans on doing this survey once per year.

Tom reported to the Board that the Educational outreach remains a high priority. Tom addressed the students in the audience and handed out literature on ISNAP.

DISCUSSION

National Council of State Boards of Nursing – Model Nursing Practice Act – FYI

Rayanna Spalding – Correspondence requesting to be licensed as a nurse – Ms. Spalding has training as a EMT and a radiologist technician and is requesting that this experience allow her to become a nurse. The board requested that a letter be sent to her telling her that she needs to have her transcripts evaluated by a nursing school to see if she needs further coursework or clinicals.

In the Matter of Deborah L. Hoy, R.N., Cause No 93 NB 002 – Request to Withdraw the Order of Probation – The Board granted her a hearing to consider her request to withdraw the order of probation.

EDUCATION

Indiana University Northwest – Plan of Correction - The Board reviewed Indiana University Northwest's plan of correction for improving their pass rates. The Board moved to ACCEPT their plan of correction.

Peters/King, 6/0/0

Let the record reflect that Traci Little, Consumer Member arrived at 9:20 a.m.

Olympia College – Report of Survey Visit & Other Areas of Concern – Charles Mitchell, Director of Education and Mary Klinefelter, President, were present to represent Olympia College. Dr. Paulette Worchester did a survey visit to Olympia College in August 2002. She cited several problems. Mr. Mitchell presented the Board with their response to the survey visit. Laurie Peters stated that it is a major problem that the program does not have a designated chair and there is not a qualified person acting as program chair in the interim. Neither Mr. Mitchell nor Ms. Klinefelter are qualified to act as program chair and one of the nursing faculty should really be acting as program chair during the interim.

They have also had continually low pass rates the last 5 years. Their plan of correction did not accurately address what they are doing to correct this. Ms. Klinefelter did state that she has been seeing an upward trend in the passrate from those that have graduated since the program transferred ownership from Horizon Career College to Olympia.

They indicated that all of their instructors are BSNs and they have 1 completing her masters in Health Science. They currently have 54 students in the PN program and their term began September 23rd. Their program consists of 4 quarters. They currently hold clinicals at St. Mary's Hospital, Lincolnshire and St. Catherine's Hospital. The clinicals start in the 2nd quarter. They manage the 1 to 10 ratio rule by not having all 54 students in clinicals at the same time.

Laurie also indicated that it is a problem that there are not set hours so that students know when to get in touch with instructors, rather students are told that they need to contact the instructors to set up a time. Instructors should also be getting paid for prep and advisory hours.

The Board questioned the high faculty turnover rate. Ms. Klinefelter stated that the previous program chair, Freda Black left because she took a pay cut to take that position and didn't realize how much work it was going to be. She said there is a high turnover due to pay but they feel like there are other advantages, such as not working evenings or weekends that would outweigh the low pay. They have recently increased the faculty pay by \$2.00 per hour.

After discussion, the Board voted to put Olympia College on Conditional Accreditation and have them appear again at the November board meeting with an update regarding the new program chair and provide a specific details on their plan of correction to address the low passrates.

Peters/Helmuth, 6/0/1, with Ms. Little Abstaining

Correspondence from Ball State University – Background Checks – Nancy Dillard, was present before the Board to explain that they are now doing criminal background checks before students enter the program. Many agencies are requiring this before clinicals due to Zachary's Law and Medicare/Medicaid exclusions. In the past they advised students with criminal histories that they may not be licensed once they complete school but

starting in the spring semester, when this is implemented, they will not be letting students with a positive criminal background check into the program. Ms. Dilliard explained that they already have this policy in the Early Childhood Education Program. The Board stated that we cannot advise them on their admission standards. As long as the policies are clear, in writing and are given to the students ahead of time, this does not appear to violate the nurse practice act.

Ivy Tech State College, South Bend – Plan of Correction – The Board reviewed Ivy Tech South Bend’s plan of correction for improving their pass rates. The Board moved to ACCEPT their plan of correction.

King/Thomas, 6/0/1

Marion Community School of Practical Nursing – Request to appoint Rose Johnson as Program Chair - The School explained to the Board that Ms. Johnson will complete her Master’s Degree in December 2003. After discussion, the Board moved to APPROVE Ms. Johnson as program chair.

King/Peters, 7/0/0

EXAMINATION APPLICANTS

Erick Lee Cocks – Practitioner appeared before the Board concerning a positive response on his examination application and was not represented by counsel. Mr. Cocks indicated to the Board that his sobriety date is October 5, 1999 and he completed his criminal probation September 2001. He is currently working as a manager for a Catering Service. After discussion the Board moved to APPROVE Mr. Cocks to take the NCLEX and upon successful completion he must make a Personal Appearance before licensure.

King/Peters, 7/0/0

Denise Joy Hill – Ms. Hill did not appear before the Board.

ENDORSEMENT APPLICANT

Mary Yates Roberts, L.P.N. – Ms. Roberts did not appear before the Board.

RENEWAL APPLICANTS

Cynthia Lee Powell, L.P.N. – License No. 27046085 – Renewal applicant appeared before the Board concerning a positive response on her renewal application and was not represented by counsel. Ms. Powell indicated to the board that her sobriety date is July 13, 2002. She was terminated from Milner Community Healthcare. She was arrested for a DUI. After discussion the Board moved to place the Applicant’s license on INDEFINITE PROBATION for a period of one (1) year with terms and conditions.

King/Thomas, 6/0/1, with Ms. Little abstaining

Elizabeth Ann Reynolds, R.N. – License No. 28068148 – did not appear but she sent information to the Board to review and asked that she not have to attend since she is currently living in Utah. Traci Little indicated that she would be willing to conduct a personal appearance over the phone and present her recommendation to the board.

ADMINISTRATIVE HEARINGS

The following hearings were continued.

Elizabeth Anne West, RN, License No. 28142065, Cause No. 2002 NB 075
Kathleen Kay Thompson, LPN, License No. 27011306, Cause No. 2002 NB 055
Melinda L. Sparks, RN, License No. 28036920, Cause No. 2002 NB 071
Susan Kay Romine, RN, License No. 28084334, Cause No. 2002 NB 083
Phyllis Kay Woolsey, LPN, License No. 27046947, Cause No. 2002 NB 058
Donna Jean Craig, RN, License No. 28113760, Cause No. 2002 NB 0089
Karen Pipes, LPN, License No. 27049379, Cause No. 2001 NB 020
Erma Lester, RN, License No. 27040963, Cause No. 2001 NB 089

Deborah Sue Keen, LPN, License No. 27009980, Cause No. 2000 NB 029

Respondent did appear in person and was represented by Steven Trueblood regarding a Settlement Conference scheduled before the Board. The State of Indiana was represented by Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. A settlement agreement between the Respondent, her Counsel and the Attorney General's Office was presented to the Board by Georgeanna Orlich, Deputy Attorney General. The settlement included INDEFINITE SUSPENSION for a period of fifty (50) years and Respondent may not apply for licensure as a new applicant. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

King/Helmuth, 6/0/1, with Ms. Little abstaining

Linda Hawkins, RN, License No. 28104942, Cause No. 95 NB 012 – Respondent withdrew her request to reinstate.

Dennis Ray Thompson, LPN, License No. 27044408, Cause No. 2001 NB 026

Respondent did appear in person and was represented by Steven Johnsonbaugh regarding a Request to Reconsider the Findings of Fact and Order. The State of Indiana was represented by Sheila O'Bryan McGrath, Deputy Attorney General and the court reporter sworn in for this matter was Linda Merkl. The Respondent admitted to the Board that he has a history of problems with drugs and alcohol. He also admitted that he is a different person now than in the past when he appeared before the Board in the past. He indicated that he was in denial. On January 13, 2002 he tried to commit suicide. He was admitted to Community Hospital for approximately eight (8) days and then entered Safe Haven. Mr. Johnsonbaugh contends that the Findings of Fact and Order were entered unfairly

since Respondent did request a continuance of his hearing because he was in treatment. The Board denied his request for continuance and proceeded with the hearing. Respondent did not receive the notice of proposed default since he was in the hospital. He suggested to the Board that some evidence was not presented last time. The Board members indicated that they did indeed know about the evidence and did not wish to re-hear this case and that the Respondent has to take responsibility for his actions. Tom Bissonnette served as a witness to testify for the Respondent. He testified that Respondent has signed a 5 year contract with ISNAP. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RECONSIDER the Findings of Fact and Order.

King/Helmuth, 6/1/0, with Ms. Thomas Opposing

After discussion the Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year with terms and conditions. After one (1) year the Respondent may seek reinstatement of his license.

King/Helmuth, 5/2/0, with Ms. Thomas and Ms. Shook Opposing

Minnie Lee Williams, LPN, License No. 27011960, Cause No. 2002 NB 074

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 Lori Keen. Shelley Johnson requested that the Board continue this matter because her witness was not available. After discussion the Board GRANTED the CONTINUANCE.

CONSENSUS

Let the record reflect that Traci Little was out of the meeting room conducting a settlement conference.

Melissa Ann McKinzie, RN, License No. 28113735, Cause No. 96 NB 062

Respondent did not appear in person and was not represented by counsel regarding a Hearing to Renew 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 Linda Merkl. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to EXTEND the SUMMARY SUSPENSION for a period of ninety (90) days.

King/Helmuth, 6/0/0

Rhonda K. Fleenor, LPN, License No. 27046573, Cause No. 2002 NB 032

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was James R. Holden, Deputy Attorney General and the court reporter sworn in for this matter was Lori

Keen. Roxanne Eubanks and Debra Andry served as witnesses to testify for the State. Olivier King served as a witness to testify for the Respondent. Respondent provided a certificate that she had completed drug and alcohol counseling through Clark County Outpatient. She has been sober since June and attends AA meetings every Tuesday. She said that she does not consider herself an alcoholic. She said that she misunderstood her application, which was why she didn't answer truthfully on her renewal application regarding criminal convictions. She is currently not working as a nurse. She is still on criminal probation. She has been found at work with alcohol on her breath. She received a DUI when she rammed into the back of a police car. She did not contact ISNAP when the Attorney General's Office requested that she do so. After having considered the evidence presented, testimony of the witnesses and taking official notice of its file in this matter the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year with terms and conditions. The Respondent may seek to have her license reinstated after one (1) year.

King/Helmuth, 7/0/0

Malinda M. Smith, RN, License No. 28111529, Cause No. 2002 NB 020

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 James R. Holden, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Michelle Dickens and Tom Bissonnette served as witnesses to testify for the State. On November 21, 2001, after questioning the Respondent, she admitted to taking eight (8) Lortab pills for the facility in which she was employed. The facility immediately terminated Respondent and suggested she seek counseling from ISNAP. Respondent did contact ISNAP, however not until May 24, 2002. An evaluation was conducted and the Respondent entered an intensive outpatient substance abuse program on July 9, 2002. On or about July 23, 2002 the Respondent tested positive for Oxazepam following a routine urine drug screen. Respondent tested positive for the same drug several times during July and August 2002. Respondent's file with ISNAP was closed due to non-compliance. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

King/Shook, 6/0/0

Kristin Leigh Branham, LPN, License No. 27042065, Cause No. 2002 NB 068

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension schedule before the Board. The State of Indiana was represented by James R. Holden, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to issue a NOTICE OF PROPOSED DEFAULT.

King/Peters, 6/0/0

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

King/Peters, 6/0/0

Dawn L. Clabaugh, LPN, License No. 27039995, Cause No. 2002 NB 072

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 Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Respondent requested that the Board grant her a continuance for this matter so she could retain counsel. Ms. Sinn did not object to the continuance. After discussion the Board moved to grant the CONTINUANCE.

King/Shook, 6/0/0

Chris Mills Wilson, RN, LPN, License No. 28140424 & 27034913, Cause No. 2002 NB 050

Respondent did appear in person and was represented by Jeff Lockwood regarding a Settlement Conference scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Both parties signed an agreement and submitted it to the Board for their review. After review and having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement of INDEFINITE PROBATION for a period of five (5) years with terms and conditions.

King/Peters, 6/0/0

Reta Louise Stephens, RN, License No. 28061189, Cause No. 2002 NB 056

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 R. Holden, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. David Kast was sworn in as a witness to testify for the State of Indiana. Mr. Kast testified that they found eleven (11) pills in the Respondent's personal bag. Mr. Kast and Ms. Stephens searched/inventoried the bag together while being video taped. Mr. Kast said that Ms. Stephens could not explain why she had the drugs. 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.

King/Thomas, 6/0/0

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

Theresa Gail Howard, LPN, License No. 27042644, Cause No. 2002 NB 073

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 Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Both parties signed an agreement and submitted it to the Board for their review. After review and having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement of INDEFINITE PROBATION for a period of two (2) years with terms and conditions.

King/Shook, 7/0/0

Chantima Ratanaproeck, RN, License No. 28144024, Cause No. 2002 NB 0104

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 Renee Gallagher, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent was terminated from one facility in which it was determined that she diverted medication from the Pyxis machine for patients that were not under her care. She was under investigation at another facility for unauthorized Pyxis withdrawals. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Helmuth/Peters, 7/0/0

Lara Lynn Copeland, LPN, License No. 27035356, Cause No. 2002 NB 0102

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 Renee Gallagher, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Respondent was employed by Muncie Health and Rehabilitation Center. On September 28, 2002, the Respondent was caught on the premises by another nurse attempting to steal a card of Vicodin tablets. After being confronted by supervisors, the Respondent signed a statement admitting to attempting to take the medication home with her. She had been employed with the facility for a period of one (1) week. 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 and ordered the Respondent to receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Thomas, 7/0/0

Lori Ann Craft, LPN, License No. 27036778, Cause No. 2002 NB 0103

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 Renee Gallagher, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. During an investigation at Mason Healthcare it was

found that the Respondent ordered a refill of Ambien for a resident before the resident's supply had been used. Another nurse picked up the refilled medication orders from the pharmacy and gave the Ambien and count sheet to the Respondent to place in the secure medication cart. Later it was found that the Ambien was missing. The Respondent was asked about it and she denied ever ordering the refill. The Pharmacist verified that the Respondent had indeed ordered the Ambien. The supervisor scheduled a meeting with the Respondent to discuss this matter and the Respondent failed to show up for the meeting, and was subsequently terminated. 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 and ordered the Respondent to receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Thomas, 7/0/0

Pamela Diana Oney, LPN, License No. 27016289, Cause No. 83 NB 014

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 Lori Keen. James Smith was sworn in as a witness to testify for the State. Tom Bissonette was sworn in as a witness to testify for the Respondent. Ms. Oney was sent home from work when her supervisor witnessed her working with slurred speech, a unsteady gate and concentration problems. Ms. Oney indicated to her supervisor that she recently received a flu shot and that it was possibly affecting her work. Mr. Bissonette testified that Ms. Oney has had contact with ISNAP for approximately one (1) year and that she is very close to signing a contract with them. Ms. Oney testified that her trigger was working too much and that at this time she felt she was sleep deprived, and she was not on drugs. After having considered the evidence presented, testimony of the witnesses and taking official notice of its file in this matter the Board and the Respondent AGREED to MODIFY her current PROBATION order to include a contract with ISNAP. The contract with ISNAP must be signed within thirty (30) days, and the length of her probation will be the duration of her contract with ISNAP.

King/Thomas, 6/0/1, with Ms. Slagle abstaining

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

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to hold the Respondent's license in DEFAULT.

King/Thomas, 6/0/0

After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) years. After three (3) years the Respondent may seek to have her license reinstated.

Peters/Thomas, 6/0/0

Janet Lee Sone, LPN, License No. 27011502, Cause No. 2002 NB 049

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to hold the Respondent's license in DEFAULT.

King/Shook, 6/0/0

After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) years. After three (3) years the Respondent may seek to have her license reinstated.

CONSENSUS, 6/0/0

Let the record reflect that Laurie Peters and Maureen Thomas left the meeting.

Sherry Lynn Goodman-Jones, RN, License No. 28129837, Cause No. 2002 NB 024

Respondent did not appear in person and was not represented by counsel regarding a Hearing to Renew Summary Suspension/Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to EXTEND the SUMMARY SUSPENSION for an additional ninety (90) days.

King/Shook, 5/0/0

The Board further voted to ISSUE a NOTICE OF PROPOSED DEFAULT.

King/Shook, 5/0/0

Brenda Katherine Smith, LPN, License No. 27026516, Cause No. 2002 NB 081

Respondent did not appear in person and was not represented by counsel regarding a Hearing to Renew Summary Suspension/Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to ISSUE a NOTICE OF PROPOSED DEFAULT.

King/Shook, 5/0/0

The Board further voted to EXTEND the SUMMARY SUSPENSION for an additional ninety (90) days.

King/Shook, 5/0/0

Jennifer Rene Johnson, RN, License No. 28133746, Cause No. 2002 NB 0082

Respondent did not appear in person and was not represented by counsel regarding a Hearing to Renew 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 Lori Keen. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to EXTEND the SUMMARY SUSPENSION for an additional ninety (90) days.

King/Helmuth, 5/0/0

Kimberly Jewell Malsom, RN, License No. 28102111, Cause No. 2002 NB 0099

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 Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Ms. Sinn indicated to the Board that the Respondent has agreed to the Summary Suspension. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to ACCEPT the AGREEMENT of the SUMMARY SUSPENSION for a period of ninety (90) days.

King/Shook, 5/0/0

Donovan Max Mathis, RN, License No. 28128625, Cause No. 2002 NB 0100

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 Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Ms. Sinn indicated to the Board that the Respondent has agreed to the Summary Suspension. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to ACCEPT the AGREEMENT of the SUMMARY SUSPENSION for a period of ninety (90) days.

King/Shook, 5/0/0

Donald Paul Graham, RN, License No. 28113377, Cause No. 2002 NB 0101

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 Renee Gallagher, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Ms. Gallagher told the Board that the Respondent had submitted scripts for Hydrocodone to the Pharmacy which were supposedly signed by Dr. Alena. The Pharmacist was concerned due to the quantity of this prescription

therefore he called the Doctor's office to verify the prescription. Dr. Alena did not write or authorize this specific prescription. Respondent was then arrested for prescription fraud. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days and ordered the Respondent to receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Shook, 5/0/0

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

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default and Response scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. After considering the Respondents letter of response, and taking into consideration Ms. Johnson's objection to the response, the Board moved to schedule a HEARING for December 2002 with the understanding there will be no further continuances.

King/Shook, 5/0/0

Mildred Anne Ely, RN, License No. 28057537, Cause No. 2001 NB 041

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to hold the Respondent's license in DEFAULT.

King/Shook, 5/0/0

After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of five (5) years. After five (5) years the Respondent may seek to have her license reinstated.

King/Shook, 5/0/0

Jane Ann Bailey, RN, License No. 28068485, Cause No. 2002 NB 044

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to hold the Respondent's license in DEFAULT.

King/Helmuth, 5/0/0

After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of five (5) years. After five (5) years the Respondent may seek to have her license reinstated.

King/Shook, 5/0/0

Shannon Lynn Hall, LPN, License No. 27036191, Cause No. 2002 NB 044

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to hold the Respondent's license in DEFAULT.

King/Helmuth, 5/0/0

After further discussion, the Board voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of five (5) years. After five (5) years the Respondent may seek to have her license reinstated.

King/Shook, 5/0/0

Kristy Lynn Rhea, LPN, License No. 27034222, Cause No. 2001 NB 056

Respondent did not appear in person and was not represented by counsel regarding a Motion to Dismiss Complaint scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court Reporter sworn in for this matter was Lori Keen. Ms. Johnson indicated to the Board that a complaint had been filed against the Respondent for non-compliance with her probationary order. In checking the Respondent's file again, it was found that the Respondent was in compliance but was late in submitting the documents. After discussion the Board moved to ACCEPT the motion for dismissal.

King/Shook, 5/0/0

ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS

The Board approved the following ALJ recommendations submitted by Celinda Kay Leach, R.N., from the September 3, 2002 hearings:

Sheryl Craig, RN
Mercia Frierson, LPN
Brandi Lynn Husle, LPN
Janet Sue Lee, LPN
Zoe Ellen Meinhart, RN

Davis Kay Westrick, RN
Karen Sue Yussum, RN

APPLICATIONS

RENEWAL APPLICATION

Mary Ellen Roberts, RN, License No. 28086561 – The Board tabled Ms. Roberts’ renewal until she was evaluated by ISNAP. At this time Ms. Roberts still has not contacted ISNAP, therefore the Board DENIED her request for renewal.

ADVANCED PRACTICE NURSE APPLICATION

Lisa C. Danko, RN – The Pharmacology Ms. Danko submitted for her Advanced Practice Nurse Application was a Continuing Education Pharmacology. She was requesting that this be accepted in place of the master’s level pharmacology course. The Board DENIED this request.

ENDORSEMENT APPLICATION

Sondra L. Smith, RN – After reviewing Ms. Smith’s file the Board approved her for licensure.

There being no further business, the meeting adjourned at 6:10 p.m.

Marsha M. King, R.N., President

Darla Jones, L.P.N., Secretary