

**INDIANA STATE BOARD OF NURSING**

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

**MINUTES OF SEPTEMBER 19, 2002**

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

Members Present: Marsha M. King, R.N., President  
Laurie Peters, R.N., Vice President  
Darla Jones, L.P.N., Secretary  
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

Staff Present: Kristen Kelley, Board Director  
Health Professions Bureau  
Jody Edens, Assistant Director  
Health Professions Bureau  
Gordon White, Deputy Attorney General  
Office of the Attorney General

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

King/Peters, 7/0/0

The Board voted to accept the minutes of the August 8, 2002 meeting as corrected.

Thomas/Peters, 7/0/0

**INDIANA STATE NURSES ASSISTANCE PROGRAM**

Tom Bissonette, Program Director of the Indiana State Nurses Assistance Program (ISNAP) was present. There are a total of 231 nurses being actively monitored, with an additional 40 nurses in the intake process. Since July 1, 2001, 146 nurses have signed recovery monitoring agreements with ISNAP.

The ISNAP participant satisfaction survey is being analyzed at this time and the results will be presented to the Board at the October meeting.

Tom reported to the Board that the Educational outreach remains a high priority. All established Nurse Support Groups have been visited by ISNAP staff and a staff member has been assigned as a liaison for each group.

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

### **DISCUSSION**

Warren Scott Frazier, R.N. – Correspondence – The Board reviewed the testimony from a transcript of Mr. Frazier’s hearing and it was determined the Board asked for an examination from a Board Certified Psychologist. The Board submitted a list of two (2) psychologists that Mr. Frazier may choose from. Mr. White indicated that he will change the order to reflect the discrepancies with Mr. Frazier’s daughter’s name.

Michelle Ellis, L.P.N. – Correspondence –Request to reconsider the Findings of Fact and Order

After discussion the Board voted to deny the Respondent’s request for reconsideration.

King/Thomas, 8/0/0

Rhonda Allen, L.P.N. – Correspondence – Request to Reinstate – After discussion the Board voted to grant the Respondent a hearing to consider reinstatement of her license.

King/Jones, 8/0/0

Kristen Ridderheim Handshoe, R.N. – Correspondence –Request to Reinstate – After discussion the Board voted to grant the Respondent a hearing to consider reinstatement of her license.

King/Thomas, 8/0/0

Diana Barbee, R.N., License No. 28126077, Cause No. 2001 NB 018 – Respondent’s Objection to the Recommended Findings of Fact and Order – After discussion the Board voted to Modify the Recommended Findings of Fact and Order. The original order stands as is, with one exception. The Respondent may do home health visits Monday through Friday while employed at her current agency. She may not do any other type of home health visits with any other employer.

King/Shook, 8/0/0

Karen A. Pipes, R.N., License No. 27049379, Cause No. 2001 NB 020 – Respondent’s Objection to the Recommended Findings of Fact and Order – After discussion the Board voted to schedule a Hearing for the Respondent before the full Board.

King/Jones, 8/0/0

## EDUCATION

Purdue Calumet – Plan of Correction – The Board reviewed Purdue Calumet’s plan of correction for improving their pass rates. The Board moved to ACCEPT their plan of correction.

CONSENSUS

St. Elizabeth School of Nursing – Plan of Correction – The Board reviewed St. Elizabeth’s plan of correction for improving their pass rates. The Board moved to ACCEPT their plan of correction.

CONSENSUS

Olympia College – Plan of Correction – The Board voted to TABLE the plan of correction until next month’s meeting at which time the Board will also review their survey visit report.

CONSENSUS

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

King/Helmuth, 7/0/1, with Ms. Peters abstaining

Correspondence from American Association of Colleges of Nursing – FYI

Ivy Tech State College, Kokomo – Request to start a part-time Practical Nursing Program  
The Board reviewed the information submitted by Ivy Tech for a part-time Practical Nursing Program. The Board moved to APPROVE the part-time Practical Nursing Program.

King/Thomas, 7/0/1, with Ms. Peters abstaining

Ivy Tech State College, Muncie – Request for Full Accreditation - Ivy Tech Representatives were present to discuss their request for full accreditation with the Board. The School has completed the transfer of ownership from Ball State University to Ivy Tech State College. The school will be reviewed for NLN accreditation this coming October. Their Library now holds 711 full texts. Originally there were 78 Nursing texts, they are now up to 144 Nursing texts. Two of their staff members went to a test writing seminar. At this time they have a 90% pass rate. After discussion the Board moved to place Ivy Tech State College, Muncie on FULL ACCREDITATION.

King/Jones, 8/0/0

The Board discussed the issue of survey visits and voted to CONTINUE to do Survey Visits on ALL Schools every five (5) years even if they are nationally accredited.

King/Helmuth, 8/0/0

Education Forum Update – Laurie Peters gave an update on the Education Form that was held the previous day. The overall recommendations from the educator’s attending the forum were as follows.

- Need to let programs do creative things to get qualified faculty, such as teachers supervising preceptors.
- Review outcome measures related to accreditation structure, not just pass rates.
- Pass rate criteria – review how is it established and consider how changes would affect smaller graduating classes.
- Funds for new incentives.
- Modify the deadline for approval for adding faculty and clinical sites. Consider on-line approval for sites.
- Students who continue to take and re-take NCLEX. Also, Students who graduate and don’t take the examination for several years and how this affects pass rates.

Ms. Peters indicated that the original task force needs to be reassembled and possibly new volunteer’s added to the task force, so that they may begin to review these recommendations.

## **PERSONAL APPEARANCES**

### **EXAMINATION APPLICATIONS**

Gregory Bennett – Applicant did appear in person regarding a positive response on his examination application and was not represented by counsel. Mr. Bennett has had four (4) DUI’s, the last one occurring in 1996. He has now had six (6) years of sobriety. Mr. Bennett indicated that he does not attend AA/NA meetings that he is a Christian and his beliefs sustain his sobriety. He prays and talks with fellow church members when he feels stress. After discussion, the Board voted to ALLOW him to take the NCLEX and to be licensed upon passing the exam.

King/Thomas, 8/0/0

Rebecca Ann Powell – Applicant did appear in person regarding a positive response on her examination application and was not represented by counsel. Ms. Powell told the Board back in 1994 she drank until she was in a black out. During her black out she went to her ex-husbands house and shot towards his house. She did not injure anyone. She pled guilty to criminal recklessness and received thirty (30) days in-home detention; one (1) year probation and she had to apologize to her ex-husband. She attended a twenty-one (21) day program at Fairbanks. She attends AA meeting regularly, and continues to work her twelve (12) steps. She has re-married and graduated number one (1) in her

class. Her sobriety date is September 28, 1994. After discussion the Board moved to ALLOW her to take the NCLEX and to be licensed upon passing the exam.

King/Peters, 8/0/0

Angela Renee Rodman – Applicant did appear before the Board regarding a positive response on her examination application and was not represented by counsel. In 1990, at nineteen (19) years old she received a DUI. In 1991, she was convicted of underage drinking. Ms. Rodman told the Board she started drinking at age thirteen (13) and she got to the point that she needed a drink every morning when she woke up. In June 2000 she had a son. She drank some during her pregnancy but did attend AA meeting also. She went to the Center for Behavioral Health in Bloomington for thirty (30) days. She went to IOP for a while, but had to discontinue this due to the cost. She continues going to AA meetings 2-3 times per week and calls her sponsor and two (2) other AA members once a day. She is employed at Bloomington Hospital as a GPN. The Hospital did do a drug screen and it was negative. After discussion the Board moved to ALLOW her to take the NCLEX and to be licensed upon passing the exam.

King/Jones, 8/0/0

Matthew Thomas Stevens – Applicant did appear before the Board regarding licensure after passing the NCLEX. Mr. Stevens had previously appeared before the Board and was approved to take the NCLEX, which he has now passed. Mr. Steven's submitted to the Board a letter of recommendation from Dr. James Turner. He has not had a drink since 1989, and has been out of prison for four (4) years. He was never required to be on criminal probation following his release from prison. After discussion the Board moved to ALLOW him to be LICENSED.

Jones/Thomas, 6/0/2, with Ms. Peters and Ms. Slagle abstaining

#### ENDORSEMENT APPLICANT

Joy Harriet Ayeni, R.N. – Did not show up for her scheduled appearance.

#### RENEWAL APPLICANT

Nikki Pavlides, R.N., License No. 28069781A – Applicant did appear before the Board regarding a positive response on her license renewal application and was not represented by counsel. License has been expired since 2000. In 1997 she had a last chance contract with her employment due to diversion of Codeine and a drug screen came back positive for a small dose of Darvon. She did a blood test and it came back negative. She was terminated from the Hospital. She received an evaluation by Dr. Cockrell, who stated that she was not a candidate for ISNAP. He thought her problem was due to depression. Ms. Pavlides last worked as a nurse in 1999, she went to school to become a paralegal and just graduated. After discussion, the Board TABLED her renewal and REQUESTED that

she be evaluated by ISNAP again.

King/Jones,8/0/0

Let the record reflect that Ms. Traci Little, Consumer Member left the meeting to attend a settlement conference.

Lori Kay Steury, L.P.N., License No. 27018746 – Applicant did appear before the Board for a positive response on her renewal application and was not represented by counsel. In 1999 Ms. Steury had a positive drug screen for marijuana. She did self-report to the AZ Board of Nursing. She received a censure from the AZ Board on September 12, 2002. On June 27, 2002 she received a chemical dependency evaluation. There was no indication of current use or dependency and no restrictions for work. She had three (3) random drug screens in AZ for employment purposes and all three (3) were negative. After discussion the Board moved to RENEW her license.

Peters/King, 7/0/0

### **HEARINGS**

The following hearings were continued.

**Susan White Smith, R.N., License No. 28149221, Cause No. 2002 NB 022**  
**Virginia Lee Coyle, L.P.N., License No. 27026134, Cause No. 2002 NB 030**  
**Erma J. Lester, L.P.N., License No. 27040963, Cause No. 2002 NB 089**

#### **Deborah Sue Kean, L.P.N., License No. 27009980, Cause No. 2000 NB 029**

Respondent did not appear in person and was not represented by counsel regarding a Settlement Conference scheduled before the Board. The State of Indiana was represented by Georgeanna Orlich, Deputy Attorney General. Counsel for Respondent requested another continuance as Respondent was unable to attend the meeting. After discussion the Board AGREED to another continuance, but indicated that if an agreement is not settled upon and signed by the October meeting, the Hearing will be held in November 2002.

### CONSENSUS

#### **Laura L. Forrester, L.P.N., License No. 27026166, Cause No. 2002 NB 029**

Respondent did not appear in person and was not represented by counsel regarding a Settlement Conference scheduled before the Board. The State of Indiana was represented by Sheila O'Bryan McGrath, Deputy Attorney General. The Respondent hit a patient in the chest with the back of her hand. An aide saw her do this and reported it but the aide has since died. She did not admit she hit the patient, but did admit she handled the patient roughly. The Respondent and the Deputy Attorney General came to a settlement

of a written reprimand. After discussion the Board voted to ACCEPT the settlement of a WRITTEN REPRIMAND.

Jones/Peters, 7/0/0

Let the record reflect that Ms. Traci Little, Consumer Member returned to the meeting.

**Mary Catherine Serrano, R.N., License No. 28119497, Cause No. 2002 NB 088**

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 Jim Holden, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Respondent indicated to the Board that she wished to obtain an Attorney for this hearing, but she just received notice the day before the hearing. The Board opted to move forward with the hearing due to the emergency content. Tom Bissonette was sworn in as a witness for the State. The Respondent signed a contract with ISNAP in June 2000. In June 2002, the Respondent was terminated from his employment for being under the influence of alcohol on the job. Tom told the Board that the Respondent originally signed a contract with Dr. Cockrell for a period of five (5) years. On August 21, 2002, her contract with ISNAP was terminated due to this incident. On June 24, 2002, security at her place of employment found that Respondent was drinking while on the job. The Respondent had a drink in which another employee tasted and said it contained alcohol. The Respondent said it was lemonade. The Respondent was told to take a drug screen. Respondent did not follow through with the drug screen and was therefore terminated from her employment. Respondent indicated to the Board that she had waited in the ER for her supervisor to do the drug screen for over twenty (20) minutes and was very frustrated so she left. Respondent indicated to the Board that she had not been intoxicated while on the job, although she did admit that she had a few drinks with a friend just a couple of weeks ago. After having considered the evidence presented, the testimony of the witness and taking official notice of its file in this matter, the Board voted to accept the State's recommendation of a SUMMARY SUSPENSION for ninety (90) days.

Peters/Thomas, 7/0/1, with Ms. Little abstaining

**Lavada Rose Garnett, L.P.N., License No. 27037358, License No. 2002 NB 076**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing and Hearing to Renew Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Natosha Thomas was sworn in as a witness to testify for the State. Ms. Thomas, DON at McCarty Health Care Center testified that the Respondent signed out additional quantities of Oxycontin to patients that never received the Oxycontin. The narcotic count sheet was missing also, so they were unable to check to see if the additional quantities were logged out. After having considered the evidence presented, the testimony of the witness and taking official notice of its file in this matter, the Board voted to EXTEND the SUMMARY SUSPENSION for ninety (90) days.

King/Peters, 8/0/0

The Board further voted to Issue a Notice of Proposed Default.

King/Shook

**Linda Elaine Ballenger, L.P.N., License No. 28137370, Cause No. 2002 NB 066**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing and Hearing to Renew 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 Board has not received the addictionology evaluation report for the Respondent. 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 ninety (90) days.

King/Jones, 7/0/1, with Ms. Slagle abstaining

**Jane Anne Hansen, L.P.N., License No. 27011502, Cause No. 2002 NB 049**

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 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/Jones, 8/0/0

**Terri Lynn Eaton, R.N., L.P.N., License No. 28130083 & 27022959, Cause No. 2002 NB 051**

Respondent did appear in person and was represented by Steven Johnsonbaugh regarding a Disciplinary Hearing and Hearing to Renew 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. The Deputy Attorney General presented a settlement agreement to the Board. The Respondent must sign a contract with ISNAP and will be on PROBATION for the length of the ISNAP contract with terms and conditions. The Respondent may not seek to have the probation lifted until she successfully completes her contract with ISNAP. After discussion the Board voted to ACCEPT the settlement.

King/Peters, 7/0/1, with Ms. Little abstaining

**Kimberly K. Foulks, R.N., License No. 2813500, Cause No. 2002 NB 0084**

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. Tom Bissonette was sworn in as a witness for the State. Mr. Bissonette testified that the Respondent signed a contract with ISNAP, but has not complied with any of the terms of the contract. On March 3, 2002, ISNAP closed her contract. On June 12, 2002, the Respondent signed a second contract with ISNAP. On June 15, 2002, Respondent was ordered by ISNAP not to seek employment. The Respondent's contract with ISNAP was closed again on July 23, 2002 for non-compliance. Mr. Bissonette testified that ISNAP believes the Respondent is a clear and immediate danger to the public. After having considered the evidence presented, the testimony of the witness and taking official notice of its file in this matter the Board voted to issue a SUMMARY SUSPENSION for a period of ninety (90) days.

Thomas/Jones, 8/0/0

**Caroline Lee Kimble, R.N., License No. 28048342, Cause No. 2002 NB 046**

Respondent did appear in person and was represented by Mary Hoeller regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Jayne Prall, RN, and Stephen Miller, RN, were sworn in as witnesses for the Respondent. In 1990 the Respondent had knowledge of a plot to kill Kimberly Lindsey. She did nothing to stop the murder, which did take place. The four people that killed Ms. Lindsey came to the Respondent's house after the murder took place. One of these persons, Debra Poland was very distraught and the Respondent chose to give her a shot of Versed. The Respondent admitted to the Board that she had bought the Versed off of the streets in order to put her Father's dog to sleep. The dog died before she could use the Versed. She also admitted to the Board that she had smoked Marijuana up until about five (5) years ago, but indicated that she never used while she was working. She also admitted to the Board that she got rid of evidence that was connected to the murder of Kimberly Lindsey. After having considered the evidence presented, the 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 ten (10) years. This vote failed to pass.

Shook/Jones, 4/4/0, with Mr. Helmuth, Ms. Slagle, Ms. Little and Ms. Thomas objecting

After further discussion, the Board again voted to place the Respondent's license on INDEFINITE SUSPENSION for a period of ten (10) years. After ten (10) years the Respondent may seek to have her license reinstated.

Shook/Peters, 8/0/0

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

Respondent did not appear in person and was represented by Joan Wolf 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. The Respondent was convicted of a class D felony, possession of a controlled substance on August 2, 2001. She is currently on criminal probation. The parties presented a settlement to the Board. The Respondent will sign a contract with ISNAP and will be on PROBATION for the length of the ISNAP contract with terms and conditions. The Respondent may seek to have her probation lifted after the successful completion of her ISNAP contract. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to ACCEPT the settlement.

Peters/Thomas, 8/0/1, with Ms. Little abstaining

**Janet lee Sone, L.P.N., License No. 27050656, Cause No. 2002 NB 067**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing and Hearing to Renew the Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. 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/Jones, 8/0/0

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

King/Thomas, 8/0/0

At the request of Ms. Johnson, the Board agreed to hear testimony from the State's witness. Donna Gosciej was sworn in as a witness for the State. Ms. Gosciej testified that the Respondent called in several prescriptions under two Doctor's names without their permission. There were three (3) prescriptions for Vicodin with seven (7) refills, one (1) prescription for Xanax with one (1) refill. They confronted the Respondent and she admitted to falsifying the prescriptions, but indicated that she was not ingesting the drugs. She did not indicate whether she was selling them or giving them away. The Board thanked Ms. Gosciej for her testimony.

**Anita Mahoney Dearing, L.P.N., License No. 27011839, Cause No. 2002 NB 037**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing and/or Hearing to Renew Summary Suspension scheduled before the Board. The State of Indiana was represented by Georgeanna Orlich, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. 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/Jones, 8/0/0

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

Shook/Jones, 8/0/0

Let the record reflect that Darla Jones was not in the room for the following hearing.

**Cheryl Renee Beaver, R.N., License No. 28125454, License No. 2002 NB 069**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing and/or Hearing to Renew 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. Let the record reflect that the Respondent was in attendance for her hearing but is under house arrest and must be back home by 8:00 p.m., therefore she had to leave before her hearing started. Respondent has signed a five (5) year contract with ISNAP and is in compliance. Ms. Sinn submitted a settlement agreement to the Board. She recommended Probation for one (1) year with terms and conditions. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to ACCEPT the settlement.

King/Peters, 7/0/0

Let the record reflect that Darla Jones returned to the meeting and Traci Little left the room for the following hearing.

**Shannon Lynn Hall, L.P.N., License No. 27036191, Cause No. 2002 NB 069**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing and/or Hearing to Renew Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. 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.

Jones/King, 7/0/0

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

King/Jones, 7/0/0

At the request of Ms. Johnson, the Board agreed to hear testimony from the State's witnesses. Sworn in to testify for the State were Michelle Minton, DON, Beverly Tavelli, DON, and Donna Goch, Case Manager with ISNAP. Ms. Minton testified that the Respondent, who worked for her, documented that she had changed a patient's dressing

when it had not been changed. She also told the Board that the Respondent had a medication error, in which there were three (3) pills missing. Ms. Tavelli testified that the Respondent also worked under her at a different facility. The Respondent had a discrepancy in her narcotic count. When Ms. Tavelli confronted her, she admitted that she took the Hydrocodone for a toothache. Ms. Goch testified that the Respondent started the in-take process with ISNAP but did not complete it therefore her file has been closed. The Board thanked the witnesses for their testimony.

Let the record reflect that Traci Little, returned to the meeting, Maurene Thomas left for the day.

**Sondra Sue Walls-Smith, L.P.N., License No. 27035013, Cause No. 2002 NB 052**

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, 7/0/0

The Board further 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/Helmuth, 7/0/0

Let the record reflect that Marsha King withdrew herself from the following hearing.

**Laura Elizabeth Stewart, R.N., License No. 28124323, Cause No. 2002 NB 065**

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing and/or Hearing to Renew Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. 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.

Peters/Jones, 6/0/0

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

Helmuth/Shook, 6/0/0

At the request of Ms. Johnson, the Board agreed to hear testimony from the State's witnesses. Sworn in to testify for the State were Amy Patterson and Bert Piper. Ms.

Patterson supervised the Respondent at Porter Memorial Hospital. During her employment there were drugs missing from the Pyxis machine. The Respondent was required to do a drug screen. She tested positive for Morphine, but had a prescription that contained morphine so the drug screen was marked "negative". The Respondent eventually confessed that she did indeed take the Morphine from the Pyxis for her own use. Mr. Piper is the Director of Pharmacy at St. Margaret Mercy Hospital. During the Respondent's employment with St Margaret's the Pyxis machine was missing considerable amounts of Morphine and Demerol. The Board thanked the witnesses for their testimony.

**Cindy Sue Collins, L.P.N., License No. 27020687, Cause No. 2002 NB 0087**

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Steven Hurt was sworn in as a witness to testify for the State. Mr. Hurt is the owner of ETC Medical where the Respondent worked. He testified that over a three (3) day period there were sixty-seven (67) doses of drugs missing. They were check out by the Respondent but were not charted as being given to patients. He asked the Respondent to submit to a drug screen. She did and it came back positive for over 4000 units of the missing drug. She was immediately terminated. After having considered the evidence presented, the testimony of the witnesses 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 that the Respondent receive an examination from a Board certified addictionologist and send a copy of the report to the Board.

King/Peters,7/0/0

**Donna Jean Craig, R.N., License No. 28113760, Cause No. 2002 NB 0089**

Respondent did appear in person and was represented by Steven Johnsonbaugh 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. Donna Goch, Case Manager with ISNAP was sworn in as a witness to testify for the State and Nancy Fitzgerald, R.N. was sworn in as witnesses to testify for the Respondent. The Respondent has been under the care of Dr. Fred Frick. Dr. Frick had never deemed her unfit to work. She signed a contract with ISNAP. Ms. Goch testified that the Respondent had four (4) positive drug screens for medication other than what she was prescribed and some did not come back positive for drugs that she was actually taking. On August 14, 2002, ISNAP closed the Respondent's case due to non-compliance. The Respondent has severe degenerative spine disorder. She is employed with St Elizabeth Ann Seaton Hospital as a clinical liaison. She has no patient contact nor does she have any access to drugs. Dr. Frick believes she has a pain disorder due to chronic pain from her back. Ms. Fitzgerald testified that she is the Respondent's immediate supervisor and the Respondent had never showed symptoms of any addiction. After having considered the evidence presented, the testimony of the witnesses and taking official notice of its file in this matter the Board voted to DENY the petition for a

Summary Suspension. The Board ordered that a complaint be filed by the Office of the Attorney General and that this matter be set for a final hearing in October 2002.

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

**Amy Christine Hughes, R.N., License No. 28133771, Cause No. 2002 NB 066**

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing and/or Hearing to Renew 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 entered into a plea agreement. She pled guilty to Forgery a class C felony, and to acquiring a controlled substance by fraud a class D felony. Her sentencing will occur on October 24, 2002. ISNAP had sent the Respondent a contract, but closed her case because she never returned the signed contract. After having considered the evidence presented and taking official notice of its file in this matter the Board voted to place the Respondent's license on INDEFINITE SUSPENSION until she successfully signs a contract with ISNAP. Once she is in compliance with an ISNAP contract the Respondent may seek to have her license reinstated.

King/Jones, 7/0/0

**Terry Jo Patrick, L.P.N., License No. 27037684, Cause No. 2002 NB 0086**

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. Melissa Wernz was sworn in as a witness to testify for the State. Ms. Wernz testified that she supervised the Respondent. Ms. Wernz noticed that the Respondent was slacking off in her job duties and she was calling off quite frequently. The Respondent also seemed to be avoiding contact with Ms. Wernz. It was found that twenty-two (22) Vicodin and thirty (30) Ativan were missing. The medication belonged to a resident who had previously passed away. After having considered the evidence presented, the testimony of the witness and taking official notice of its file in this matter the Board voted to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

King/Jones, 7/0/0

**Victoria Creighton Simonsen, R.N., License No. 28138495, Cause No. 97 NB 020**

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing and/or Hearing to Renew the 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. Janet Oxley was sworn in as a witness to testify for the Respondent. On March 31, 2002 the Respondent came to work very intoxicated and tried to perform her duties. The Respondent was ordered to receive an addictionology examination. Dr. Perez's report indicates that the Respondent has an alcohol dependency problem. After having

considered the evidence presented, the testimony of the witness and taking official notice of its file in this matter the Board voted to place the Respondent's license on INDEFINITE PROBATION for a period of one (1) year with terms and conditions. After one (1) year the Respondent may seek to have the probation lifted.

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

Let the record reflect that Traci Little and Carolyn Slagle left the meeting for the day.

**Jason Lance Riley, L.P.N., License No. 27040346, Cause No. 2002 NB 0090**

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. 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/Jones, 5/0/0

**Nikki Lynn Wagoner, L.P.N., License No. 27043557, Cause No. 2002 NB 0091**

Respondent did not appear in person and was represented by Whitney Mauk 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. 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/Jones, 5/0/0

**Sue E. Russell, L.P.N., License No. 27040635, Cause No. 2002 NB 0092**

Respondent did not appear in person and was represented by Whitney Mauk 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. 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/Jones, 5/0/0

**Kathleen Christina Allen, R.N., License No. 28095891, Cause No. 2002 NB 0085**

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 Renee Gallagher, Deputy Attorney General and the court reporter sworn in for this matter was Lori Keen. The Respondent was very close to completing her contract with ISNAP when she had a relapse. She has talked with ISNAP representatives and they have agreed to work with her on obtaining a new ISNAP contract. 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/Jones, 5/0/0

## **APPLICATIONS**

### **RENEWAL APPLICATIONS**

Dana Lilly, R.N., License No. 28117319 – The complaint with the Attorney General's Office was closed. The Board approved her application for renewal which has been tabled since October 2001, while the Office of the Attorney General completed their investigation.

Cynthia Lee Powell, L.P.N., License No. 27046085 – The Board requests a personal appearance.

### **ENDORSEMENT APPLICATIONS**

Mary Ruth Yates, L.P.N. – The Board will not consider her endorsement application until she makes a personal appearance.

There being no further business the meeting adjourned at 2:10 a.m.

---

Marsha M. King, R.N., President

---

Darla Jones, L.P.N., Secretary

