

MINUTES

INDIANA STATE BOARD OF NURSING

December 15, 2005

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Mr. Helmuth called the meeting to order at 8:35 a.m. in the Auditorium of the Indiana Government Center-South, 302 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-23-1-5(b).

Board Members Present:

Mervin Helmuth, R.N., President
Carolyn Slagle, R.N., C.N.S., Vice-President
Janis Shook, L.P.N., Member
Traci Little, JD, Consumer Member
Laurel Valentino, R.N., Member
Laurie Peters, R.N., Member

Board Members Absent:

Ann Parker, R.N., Secretary
Darla Jones, L.P.N., Member
Susan Dye, R.N., Member

State Officials Present:

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

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda, as amended. Ms. Slagle and Ms. Little were out of the meeting.

HELMUTH/PETERS
Motion carried 4-0-0

III. ADOPTION OF THE MINUTES FROM THE NOVEMBER 17, 2005 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes, as amended, from the November 17, 2005 meeting of the Board. Ms. Slagle and Ms. Little were out of the meeting.

HELMUTH/PETERS
Motion carried 4-0-0

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM (ISNAP) REPORT

Charles Lindquist, ISNAP Program Director, presented the monthly report to the Board. Mr. Lindquist explained that ISNAP is trying to increase their addictionology list. They have sent letters out to physicians asking them if they would like to be on the list. Mr. Lindquist informed the Board that the number of active clients has went up by five since last month.

V. EDUCATION

A. Purdue University North Central – Change in Curriculum Ms. Slagle was out of the meeting.

The Board reviewed Purdue University North Central's request for a change in curriculum.

A motion was made and seconded to approve Purdue University North Central's request for a change in curriculum.

HELMUTH/PETERS
Motion carried 5-0-0

- B. American Social Services of Uptown, Inc. – Letter of Intent** Ms. Slagle was out of the meeting.

The Board requested that American Social Services of Uptown, Inc. not be scheduled until they contact PLA.

- C. Marion Community Schools – Change in Clinical Hours** Ms. Slagle was out of the meeting.

Gail Rutan, Program Director, appeared before the Board on behalf of Marion Community Schools regarding their request for a change in clinical hours. Ms. Rutan explained that when they increased their enrollment last year they found that there was too much clinical time to classroom time. The pediatrics and obstetrics classes are the only two classes they are reducing. Ms. Rutan explained that they currently have forty-five students but enroll approximately fifty students.

A motion was made and seconded to approve Marion Community School's request for a change in clinical hours.

HELMUTH/PETERS
Motion carried 5-0-0

VI. PERSONAL APPEARANCES

- A. Appearances by Applicants for Renewal** Ms. Slagle was out of the meeting.

1. DorAnn Middleton-Ayers

Ms. Ayers did not appear before the Board regarding the positive response on her renewal application. A letter was submitted to the Board from Ms. Middleton-Ayers husband explaining that Ms. Middleton-Ayers passed away in November, 2005.

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

HELMUTH/PETERS
Motion carried 5-0-0

2. Sheila Marley

Ms. Marley appeared before the Board regarding the positive response on her renewal application. Ms. Marley was arrested in July of 2004 for operating a vehicle while intoxicated. Her driver's license was suspended for one year and she was placed on probation for one year. Ms. Marley stated that her probation will end on November 29, 2005.

A motion was made and seconded to renew Sheila Marley's license on Indefinite Probation for a period of six months. Ms. Marley must also contact ISNAP within thirty days.

HELMUTH/PETERS
Motion carried 5-0-0

3. Tammy Sue Powers

Ms. Powers appeared before the Board regarding the positive response on her renewal application. Dale Starks, counsel for Tammy Sue Powers, appeared before the Board. Ms. Powers explained that she has been taking psychological counseling. Ms. Powers is licensed in Arizona. The Arizona Board of Nursing has allowed Ms. Powers to have a probationary license assuming that she would be evaluated and seek treatment. Ms. Powers has contacted the ISNAP program and is currently being monitored by them.

A motion was made and seconded to renew Tammy Sue Power's license on Indefinite Probation for a period of two years.

HELMUTH/PETERS
Motion carried 5-0-0

4. Mary Cahill

Ms. Cahill appeared before the Board regarding the positive response on her renewal application. Ms. Cahill explained to the Board that she was terminated from Orthopedics Northeast for negative attitude/professionalism, difficulty focusing on her job, not following policy, and unsatisfactory work

quality. Ms. Cahill stated that she is not currently working. She is currently attending a domestic abuse program and has been for the past eight weeks.

A motion was made and seconded to renew Mary Cahill's license on Indefinite Probation for a period of six months. Ms. Cahill must have six months of active nursing practice with at least two quarterly reports and proof of completion of the domestic abuse program.

HELMUTH/SHOOK
Motion carried 5-0-0

5. Holly Takesue

Ms. Slagle returned to the meeting.

Ms. Takesue appeared before the Board regarding the positive response on her renewal application. Ms. Takesue was arrested for OWI on August 15, 2003 and May 16, 2004. Ms. Takesue explained that she does not drink and hasn't since January 2005. Ms. Takesue is on criminal probation and has one more year.

A motion was made and seconded to renew Holly Takesue's license on Indefinite Probation for the duration of her criminal probation. Ms. Takesue must also contact ISNAP within thirty days and follow through with their recommendations.

HELMUTH/SHOOK
Motion carried 6-0-0

6. Tracie DeStefano

Ms. DeStefano appeared before the Board regarding the positive response on her renewal application. Ms. DeStefano was terminated for several charting errors.

A motion was made and seconded to renew Tracie DeStefano's license on Indefinite Probation for a period of one year. Ms. DeStefano must also complete six continuing education credits.

HELMUTH/SHOOK
Motion carried 6-0-0

VII. ADMINISTRATIVE HEARINGS

A. The following hearings were continued:

1. State of Indiana v. Laura Kim Short, L.P.N., License No. 27031752A
Administrative Cause No. 2005 NB 088
Re: Disciplinary Hearing

B. State of Indiana v. Shannon L. Metry, R.N., License No. 28145726A
Administrative Cause No. 2005 NB 0183
Re: Disciplinary Hearing

Parties and Counsel Present:

Shannon L. Metry, Respondent
Steven Douglas, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

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

Case Summary: A Complaint was filed on November 4, 2005 alleging the Respondent violated twelve (12) counts of Indiana Code 25-1-9-4. Respondent is in a KARE contract with Kentucky and is in full compliance.

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

HELMUTH/SLAGLE
Motion carried 5-1-0 Mr. Helmuth opposed.

- C. State of Indiana v. Staci Jo Ann Price, R.N., License No. 28109656A**
Administrative Cause No. 2003 NB 0104
Re: Disciplinary Hearing

Parties and Counsel Present:
Staci Jo Ann Price, Respondent
Cynthia Marcus, Counsel for the Respondent
Patrick McCool, Deputy Attorney General for the State of Indiana

Participating Board Members:
Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Little
Ms. Peters

Case Summary: A Complaint was filed on November 4, 2005 alleging the Respondent violated three (3) counts of Indiana Code 25-1-9-4 and one count of 848 IAC 2-2-2. A Verbal Agreement was presented to the Board. The Agreement included a Letter of Reprimand.

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

HELMUTH/SHOOK
Motion carried 5-0-0

- D. State of Indiana v. Linda Darlene Hornaday, L.P.N., License No. 27029923A**
Administrative Cause No. 2005 NB 0108
Re: Disciplinary Hearing

Parties and Counsel Present:
Respondent did not appear in person.
Lara Engelking, Counsel for the Respondent
Steven Douglas, Deputy Attorney General for the State of Indiana

Participating Board Members:
Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Little
Ms. Peters
Ms. Slagle

Case Summary: A Complaint was filed on May 12, 2005 alleging the Respondent violated six (6) counts of Indiana Code 25-1-9-4. A Verbal Agreement was presented to the Board. The Agreement included a Letter of Reprimand and continuing education credits.

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

HELMUTH/SHOOK
Motion carried 5-0-1 Ms. Slagle abstained.

- E. State of Indiana v. Melanie Lea Wiseman, R.N., License No. 28144783A**
Administrative Cause No. 2005 NB 0165
Re: Preliminary & Disciplinary Hearing

Parties and Counsel Present:
Respondent did not appear and was not represented by counsel.
Patrick McCool, Deputy Attorney General for the State of Indiana

Participating Board Members:
Mr. Helmuth (Hearing Officer)
Ms. Valentino

Ms. Shook
Ms. Little
Ms. Slagle

Case Summary: A Complaint was filed on November 3, 2005 alleging the Respondent violated two (2) counts of Indiana Code 25-1-9-4. Respondent's license was placed on Summary Suspension at the December 15, 2005 Board meeting. The State informed the Board that they have not heard from the Respondent and she has not requested a continuance.

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

HELMUTH/SLAGLE
Motion carried 5-0-0

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

HELMUTH/SHOOK
Motion carried 5-0-0

F. State of Indiana v. Stacy Marie Shaw, L.P.N., License No. 27050780A
Administrative Cause No. 2005 NB 0182
Re: Disciplinary Hearing

Parties and Counsel Present:

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

State's Witnesses:

Lori Melton – Director at Howard Regional Health Services
Charles Lindquist, ISNAP Program Director

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Peters
Ms. Slagle

Case Summary: A Complaint was filed on October 27, 2005 alleging the Respondent violated three (3) counts of Indiana Code 25-1-9-4. The State informed the Board that they have not heard from the Respondent and she has not requested a continuance.

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

HELMUTH/SHOOK
Motion carried 5-0-0

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

HELMUTH/SHOOK
Motion carried 5-0-0

G. State of Indiana v. Misty Dawn Truitt, R.N., License No. 28145958A
Administrative Cause No. 2005 NB 0142
Re: Disciplinary Hearing

Parties and Counsel Present:

Misty Dawn Truitt, Respondent
Patrick McCool, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Peters
Ms. Slagle

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

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Probation for a period of one year and pay a fine in the amount of \$250.00 dollars. Respondent must also contact ISNAP within thirty (30) days and be evaluated.

HELMUTH/SLAGLE
Motion carried 5-0-0

H. State of Indiana v. Michael Russell Engle, L.P.N., License No. 27025455A

Administrative Cause No. 2005 NB 0145

Re: Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: A Complaint was filed on August 25, 2005 alleging the Respondent violated six (6) counts of Indiana Code 25-1-9-4. An Agreement filed on December 15, 2005 was presented to the Board. The Agreement included Respondent's license placed on Indefinite Probation for a period of eighteen months, continuing education credits and a fine in the amount of \$250.00 dollars.

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

HELMUTH/PETERS
Motion carried 6-0-0

I. State of Indiana v. David Anthony Blazak, R.N., License No. 28113009A

Administrative Cause No. 2005 NB 0144

Re: Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Little

Case Summary: A Complaint was filed on November 23, 2005 alleging the Respondent violated seven (7) counts of Indiana Code 25-1-9-4. The State informed the Board that they have not heard from the Respondent and he has not requested a continuance.

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

HELMUTH/SLAGLE
Motion carried 5-0-0

J. State of Indiana v. Wayne Poland, R.N., License No. 28131303A

Administrative Cause No. 2003 NB 0119

Re: Preliminary & Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Little

Case Summary: A Complaint was filed on November 14, 2005 alleging the Respondent violated one (1) count of Indiana Code 25-1-9-4. Respondent's license was placed on Summary Suspension at the September 22, 2005 Board meeting. The State informed the Board that they have not heard from the Respondent and he has not requested a continuance.

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

HELMUTH/SLAGLE
Motion carried 5-0-0

K. State of Indiana v. Yvonne Kerkes-Wood, L.P.N., License No. 27050229A

Administrative Cause No. 2004 NB 0172
Re: Settlement Conference

Parties and Counsel Present:

Yvonne Kerkes-Wood, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

Participating Board Members:

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

Case Summary: A Complaint was filed on May 16, 2005 alleging the Respondent violated two (2) counts of Indiana Code 25-1-9-4. A Verbal Agreement was presented to the Board. The Agreement included Indefinite Suspension of the Respondent's license for a period of sixty (60) days. Once the Respondent signs an RMA with ISNAP Respondent's license will automatically be placed on Indefinite Probation.

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

HELMUTH/SHOOK
Motion carried 5-0-1 Ms. Peters abstained.

L. State of Indiana v. Merri Lynne Bottorff, L.P.N., License No. 27014627A

Administrative Cause No. 2004 NB 0102
Re: Request to Withdraw Probation

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Probation at the September 16, 2004 Board meeting. Findings of Fact and Order filed September 30, 2004. Respondent contacted PLA and informed them that she could not attend because of the weather.

Board Action: A motion was made and seconded to table.

HELMUTH/SHOOK
Motion carried 5-0-0

- M. State of Indiana v. Peter Anthony Biggs, R.N., License No. 28125546A**
Administrative Cause No. 2005 NB 0097
Re: Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: A Complaint was filed on May 3, 2005 alleging the Respondent violated seven (7) counts of Indiana Code 25-1-9-4. An Agreement filed December 15, 2005 was presented to the Board. The Agreement included Indefinite Suspension of the Respondent's license for a period of two (2) years, a Letter of Reprimand and continuing education credits. Respondent must also undergo a psychological evaluation with a Board approved psychologist prior to petitioning for reinstatement of his license.

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

HELMUTH/SHOOK
Motion carried 5-0-1 Ms. Slagle abstained.

- N. State of Indiana v. Heather Lynn Gwaltney, L.P.N., License No. 27046273A**
Administrative Cause No. 2005 NB 0089
Re: Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Little

Case Summary: A Complaint was filed on April 15, 2005 alleging the Respondent violated four (4) counts of Indiana Code 25-1-9-4. The State informed the Board that they have not heard from the Respondent and she has not requested a continuance.

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

HELMUTH/SLAGLE
Motion carried 5-0-0

- O. State of Indiana v. Trudy Gail Hettenback, L.P.N., License No. 27017375A**
Administrative Cause No. 2005 NB 008
Re: Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Peters

Case Summary: A Complaint was filed on January 7, 2005 alleging the Respondent violated one (1) count of Indiana Code 25-1-9-4. The State informed the Board that they have not heard from the Respondent and she has not requested a continuance.

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

HELMUTH/SHOOK
Motion carried 5-0-0

- P. State of Indiana v. Debra Stout, L.P.N., License No. 27021408A**
Administrative Cause No. 2004 NB 0176
Re: Disciplinary Hearing

Parties and Counsel Present:
Debra Stout, Respondent
Shelley Johnson, Deputy Attorney General for the State of Indiana

State's Witness:
Robin Beauchamp, DON at the Sycamore Village Healthcare

Participating Board Members:
Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Peters

Case Summary: A Complaint was filed on August 31, 2004 alleging the Respondent violated one (1) count of Indiana Code 25-1-9-4.

Board Action: A motion was made and seconded to issue a Letter of Reprimand and pay a fine in the amount of \$250.00 dollars.

HELMUTH/PETERS
Motion carried 6-0-0

- Q. State of Indiana v. Deborah Seaver, R.N., License No. 28117716A**
Administrative Cause No. 2005 NB 0145
Re: Disciplinary Hearing

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

Participating Board Members:
Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Peters
Ms. Little

Case Summary: A Complaint was filed on July 29, 2005 alleging the Respondent violated twelve (12) counts of Indiana Code 25-1-9-4. An Agreement filed on December 15, 2005 was presented to the Board. The Agreement included Indefinite Probation of the Respondent's license for a period of four (4) years, six (6) hours of community service, enroll and complete a class in anger management and a fine in the amount of \$250.00 dollars.

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

HELMUTH/PETERS
Motion carried 6-0-0

- R. State of Indiana v. Shawn Rana Dickerson, R.N., License No. 28131563A**
Administrative Cause No. 2005 NB 0168
Re: Petition for Extension of Summary Suspension

Parties and Counsel Present:

Shawn Rana Dickerson, Respondent
Daniel Cavallini, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

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

Case Summary: Respondent's license was placed on Summary Suspension at the September 22, 2005 Board meeting. A Petition for Extension of Summary Suspension was filed on November 28, 2005.

Board Action: A motion was made and seconded to deny the Petition for Extension of Summary Suspension.

HELMUTH/PETERS
Motion carried 6-0-0

S. State of Indiana v. Emily McKnelly, L.P.N., License No. 27055178A

Administrative Cause No. 2004 NB 0203
Re: Order to Show Cause

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.
The State of Indiana was not represented.

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Peters

Case Summary: Respondent's license was placed on Indefinite Probation at the October 21, 2004 Board meeting. Decision on License Application was filed on October 28, 2004. Order to Show Cause was filed on December 6, 2005.

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

HELMUTH/PETERS
Motion carried 5-0-0

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

HELMUTH/SHOOK
Motion carried 5-0-0

T. State of Indiana v. Almia Jo Heald, R.N., License No. 28135137A

Administrative Cause No. 2005 NB 0122
Re: Preliminary & Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle

Ms. Peters

Case Summary: Respondent's license was placed on Summary Suspension at the December 15, 2005 Board meeting. An Extension of Summary Suspension was filed on November 23, 2005. A Complaint was filed on December 2, 2005 alleging the Respondent violated two (2) counts of Indiana Code 25-1-9-4. An Agreement was filed on December 15, 2005. The Agreement included Indefinite Suspension of the Respondent's license until the January Board meeting.

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

HELMUTH/SHOOK
Motion carried 5-0-0

- U. State of Indiana v. Susan Kay Romine, R.N., License No. 28084334A**
Administrative Cause No. 2002 NB 0083
Re: Request to Withdraw Probation

Parties and Counsel Present:

Susan Kay Romine, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

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

Case Summary: Respondent's license was placed on Indefinite Probation at the November 21, 2002 Board meeting. Final Order and Approval was filed on November 27, 2002.

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

HELMUTH/VALENTINO
Motion carried 6-0-0

- V. State of Indiana v. Darren Goetz, R.N., License No. 28142740A**
Administrative Cause No. 2004 NB 0226
Re: Summary Suspension Agreement

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: A Petition for Summary Suspension was filed on December 7, 2005. An Agreement was presented to the Board. The Agreement included Summary Suspension of the Respondent's license for an additional sixty (60) days.

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

HELMUTH/VALENTINO
Motion carried 6-0-0

- W. State of Indiana v. Jennifer Boggs, L.P.N., License No. 27033718A**
Administrative Cause No. 2005 NB 0167
Re: Petition for Extension of Summary Suspension

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Peters

Case Summary: Respondent's license was placed on Summary Suspension at the September 15, 2005 Board meeting. A Petition for Extension of Summary Suspension was filed on December 9, 2005.

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

HELMUTH/SLAGLE
Motion carried 5-0-0

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

Administrative Cause No. 2005 NB 0093
Re: Petition for Extension of Summary Suspension

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Peters

Case Summary: Respondent's license was placed on Summary Suspension at the May 12, 2005 Board meeting. A Motion to Reinstate Summary Suspension was filed on September 12, 2005. A Reinstate Summary Suspension Order was filed on September 22, 2005. A Petition for Extension of Summary Suspension was filed on December 13, 2005. Respondent verbally agreed to an extension of Summary Suspension over the telephone with Patrick McCool.

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

HELMUTH/PETERS
Motion carried 5-0-0

Y. State of Indiana v. Eileen Theresa Wendt, L.P.N., License No. 27048115A

Administrative Cause No. 2005 NB 0197
Re: Petition for Summary Suspension

Parties and Counsel Present:

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

State's Witness:

Detective Mark Parker, Indiana State Police

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Peters

Case Summary: A Petition for Summary Suspension was filed on December 14, 2005.

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

HELMUTH/SHOOK
Motion carried 5-0-0

V. DEFAULT HEARINGS

A. State of Indiana v. Jennifer Butcha, R.N., License No. 28149569A

Administrative Cause No. 2005 NB 0134
Re: Notice of Proposed Default

Parties and Counsel Present:

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

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

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

Case Summary: Respondent did not appear at the hearing scheduled on August 18, 2005. There has been no response from the Respondent regarding the Summary Suspension and Notice of Proposed Default Order filed on August 19, 2005.

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

HELMUTH/SLAGLE
Motion carried 6-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of ninety (90) days. Further, the Respondent must be in compliance with ISNAP for ninety (90) days and pay a fine in the amount of \$250.00 dollars.

HELMUTH/PETERS
Motion carried 6-0-0

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

Administrative Cause No. 2005 NB 0154
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: Respondent did not appear at the hearing scheduled on November 17, 2005. There has been no response from the Respondent regarding the Notice of Proposed Default and Summary Suspension Order filed on November 23, 2005.

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

HELMUTH/VALENTINO
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year. Further, the Respondent must be evaluated by a Board approved psychologist, pay a fine for violations in the amount of \$1000.00 dollars and pay a fine for renewal fraud in the amount of \$250.00 dollars prior to petitioning for reinstatement..

HELMUTH/SHOOK
Motion carried 5-0-0

- C. State of Indiana v. Jacklyn Francisco, L.P.N., R.N., License Nos. 27030834A & 28116939A**
Administrative Cause No. 2004 NB 0122
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: Respondent did not appear at the hearing scheduled on November 17, 2005. An Agreement filed on December 15, 2005 was presented to the Board. The Agreement included Indefinite Suspension of the Respondent's license and ten (10) continuing education credits. Further, prior to petitioning, Respondent must be evaluated by ISNAP, and if deemed a candidate, Respondent must enter into an RMA with ISNAP.

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

PETERS/SHOOK
Motion carried 6-0-0

- D. State of Indiana vs. Diane Sue Fraker, L.P.N., License No. 27033873A**
Administrative Cause No. 2005 NB 0162
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Little

Case Summary: Respondent did not appear at the hearing scheduled on November 17, 2005. There has been no response from the Respondent regarding the Notice of Proposed Default and Extension of Summary Suspension Order filed on November 23, 2005.

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

HELMUTH/SHOOK
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year. Further, the Respondent must be evaluated by ISNAP, and if deemed a candidate must have three (3) months compliance before requesting reinstatement and pay a fine in the amount of \$250.00 dollars.

HELMUTH/SHOOK
Motion carried 5-0-0

E. State of Indiana vs. Marilyn Donovan, L.P.N., License No. 27044801A

Administrative Cause No. 2005 NB 0181

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Peters

Case Summary: Respondent did not appear at the hearing scheduled on November 17, 2005. There has been no response from the Respondent regarding the Notice of Proposed Default Order filed on November 23, 2005.

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

PETERS/HELMUTH
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Probation for a period of six (6) months. Further, the Respondent must complete six continuing education credits before requesting reinstatement and pay a fine in the amount of \$250.00 dollars.

HELMUTH/PETERS
Motion carried 5-0-0

F. State of Indiana vs. Sabrina Ramirez, R.N., License No. 28123031A

Administrative Cause No. 2003 NB 0080

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Peters

Case Summary: Respondent did not appear at the hearing scheduled on November 17, 2005. There has been no response from the Respondent regarding the Notice of Proposed Default and Extension of Summary Suspension Order filed on November 23, 2005.

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

HELMUTH/PETERS
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of three (3) years. Further, the Respondent must be evaluated by ISNAP, and if deemed a candidate must have six (6) months compliance before requesting reinstatement and pay a fine in the amount of \$500.00 dollars.

HELMUTH/SHOOK
Motion carried 5-0-0

G. State of Indiana vs. Kristina Marie Stamper, L.P.N., License No. 27041353A

Administrative Cause No. 2003 NB 0158

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Little

Case Summary: Respondent did not appear at the hearing scheduled on November 17, 2005. There has been no response from the Respondent regarding the Notice of Proposed Default and Extension of Summary Suspension Order filed on November 23, 2005.

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

HELMUTH/SLAGLE
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension until her criminal matters have been resolved. Further, the Respondent must be evaluated by ISNAP, and if deemed a candidate must have three (3) months compliance before requesting reinstatement.

HELMUTH/SLAGLE
Motion carried 5-0-0

H. State of Indiana vs. Connie Faye Miller, R.N., License No. 28160077A

Administrative Cause No. 2005 NB 0150
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: Respondent did not appear at the hearing scheduled on November 17, 2005. There has been no response from the Respondent regarding the Notice of Proposed Default and Extension of Summary Suspension Order filed on November 23, 2005.

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

HELMUTH/SLAGLE
Motion carried 5-0-1 Ms. Peters abstained.

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year. Further, the Respondent must be evaluated by ISNAP, and if deemed a candidate must have six (6) months compliance before requesting reinstatement and pay a fine in the amount of \$250.00 dollars.

HELMUTH/SHOOK
Motion carried 5-0-0 Ms. Peters abstained.

I. State of Indiana vs. Marian Beth Quinton, R.N., License No. 28111971A

Administrative Cause No. 2004 NB 0196
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Peters

Case Summary: Respondent did not appear at the hearing scheduled on October 20, 2005. There has been no response from the Respondent regarding the Notice of Proposed Default and Extension of Summary Suspension Order filed on October 26, 2005.

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

HELMUTH/PETERS
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year. Further, the Respondent must be evaluated by ISNAP, and if deemed a candidate must have three (3) months compliance before requesting reinstatement and pay a fine in the amount of \$250.00 dollars.

HELMUTH/PETERS
Motion carried 5-0-0

J. State of Indiana vs. Deborah Lynn Lahti, L.P.N., License No. 27044398A

Administrative Cause No. 2003 NB 0009

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Slagle
Ms. Little

Case Summary: Respondent did not appear at the hearing scheduled on October 20, 2005. There has been no response from the Respondent regarding the Notice of Proposed Default and Extension of Summary Suspension Order filed on October 26, 2005.

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

HELMUTH/SHOOK
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year. Further, the Respondent must be evaluated by ISNAP, and if deemed a candidate must have three (3) months compliance before requesting reinstatement and pay a fine in the amount of \$250.00 dollars.

HELMUTH/SHOOK
Motion carried 5-0-0

K. State of Indiana vs. Marcia Champion, L.P.N., License No. 27043692A

Administrative Cause No. 2005 NB 0031

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook

Ms. Slagle
Ms. Little

Case Summary: Respondent did not appear at the hearing scheduled on November 17, 2005. There has been no response from the Respondent regarding the Notice of Proposed Default Order filed on November 30, 2005.

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

HELMUTH/SLAGLE
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension and pay a fine in the amount of \$250.00 dollars. Once the Respondent has three (3) months compliance with ISNAP she may request reinstatement.

HELMUTH/SHOOK
Motion carried 5-0-0

VI. DELIBERATION AND POSSIBLE ISSUANCE OF FINAL ORDERS

A. Settlement Agreements

State of Indiana v. Rita Deschner, L.P.N., License No. 27028938A
Administrative Cause No. 2005 NB 0153
Re: Proposed Settlement Agreement

Parties and Counsel Present:
Respondent did not appear in person.
Alan Whaley, Counsel for the Respondent
Steven Douglas, Deputy Attorney General for the State of Indiana

Participating Board Members:
Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Little
Ms. Peters

Case Summary: An Agreement was filed on December 12, 2005 between the Respondent and the Office of the Attorney General. The Agreement included the Respondent's license placed on Indefinite Probation for a period of one year, a fine in the amount of \$250.00 dollars and continuing education credits.

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

HELMUTH/PETERS
Motion carried 5-0-0

State of Indiana v. Heidi Sue Davies, L.P.N., License No. 27045120A
Administrative Cause No. 2005 NB 0157
Re: Proposed Settlement Agreement

Parties and Counsel Present:
Heidi Sue Davies, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

Participating Board Members:
Mr. Helmuth (Hearing Officer)
Ms. Valentino
Ms. Shook
Ms. Little
Ms. Peters
Ms. Slagle

Case Summary: An Agreement was filed on November 4, 2005 between the Respondent and the Office of the Attorney General. The Agreement included the Respondent's license placed on Indefinite Probation for a period of six months and a fine in the amount of \$500.00 dollars.

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

HELMUTH/PETERS
Motion carried 6-0-0

B. Administrative Law Judge Recommendations

Ms. Little was out of the meeting.

1. **State of Indiana v. Geneva Larkin, L.P.N., License No. 27020643A**
Administrative Cause No. 2005 NB 0135
Re: Disciplinary Hearing
Recommendation: Letter of Reprimand
2. **State of Indiana v. Kristin Leigh Branham, L.P.N., License No. 27042065A**
Administrative Cause No. 2002 NB 068
Re: Request for Reinstatement
Recommendation: Denial of Reinstatement

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

HELMUTH/PETERS
Motion carried 5-0-0

3. **State of Indiana v. Ari Carl Davis, L.P.N., License No. 27047719A** Ms. Little returned to the meeting.
Administrative Cause No. 2004 NB 055
Re: Request for Reinstatement
Recommendation: Denial of Reinstatement

Mr. Davis submitted a response to the Administrative Law Judge's recommendation regarding denial of reinstatement of his licensed practical nurse license.

Board Action: A motion was made and seconded to allow Ari Carl Davis and Shelley Johnson, Deputy Attorney General, to submit briefs at the January 19, 2006 Board meeting.

HELMUTH/SHOOK
Motion carried 6-0-0

VII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Nursing adjourned at 5:00 p.m.

Mervin Helmuth, R.N., President

Date

Ann Parker, R.N., Secretary

Date