

INDIANA STATE BOARD OF NURSING

Met on  
Thursday, December 15, 2011  
at 8:30 a.m.  
in the Auditorium of the  
Indiana Government Center-South  
302 West Washington Street  
Indianapolis, Indiana 46204

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

8:30 a.m.

Mr. Burghduff, L.P.N., President of the Indiana State Board of Nursing, called the meeting to order at 8:30 a.m. in the Auditorium of the Indiana Government Center South Building, 302 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-23-1-5(b).

**Board Members Present:**

Jerry Burghduff, L.P.N., President  
Constance McIntosh, R.N., Secretary  
Karen Dolk, R.N., Member  
Natalie Hall, R.N., Member  
Marcia Laux, R.N., Member  
Lynda Narwold, R.N., Member  
Holly Presley, L.P.N., Member  
Anne Ogle, Consumer Member

**Board Member(s) Absent:**

Scott Johns, C.R.N.A., Member

**State Officials Present:**

Elizabeth Kiefner Crawford, Board Director, Indiana Professional Licensing Agency  
Lori Grice, Assistant Board Director, Indiana Professional Licensing Agency  
Joyce Krawczyk, Compliance Liaison, Indiana Professional Licensing Agency  
Gordon White, Nursing Board Advisory Counsel, Office of the Attorney General

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda as amended. Narwold/Burghduff, 8-0-0, motion carries

III. ADOPTION OF THE MINUTES FROM THE NOVEMBER 17, 2011 MEETING OF THE BOARD

A motion was made and seconded to adopt the November 17, 2011 nursing board minutes. Burghduff/Dolk, 7-0-1, motion carries (Ogle abstains)

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM

Chuck Lindquist addressed the Board and the audience. ISNAP completed 39 intakes and 15 closures from intake in the month of November. The Board received a copy of ISNAP's third quarter statistics which included a breakdown of the ISNAP compliance decision tree. ISNAP provided several articles including one on Suboxone use which cited a 90% relapse rate for opiate addicts who are prescribed Suboxone.

V. EDUCATION

- A. **Indiana Dabney University- Plan of Correction**  
Pass Rates: 2008-40%, 2009-43.48% 2010-42.9%  
Standard Deviation: 2008-86.1%, 2009-87.8%, 2010-86.8%

Representatives appeared on behalf of Indiana Dabney University ("IDU"). In the fourth quarter of 2011, IDU has a cohort that has participated in all improvements. IDU has incorporated additional recommendations from the Board and faculty in their improvements. IDU is working towards NCLEX scores in the 90<sup>th</sup> percentile by adding improvements so that next year they will have improved scores. IDU has implemented an evaluation process for nursing staff and faculty. The cohort that recently graduated was 12 students. IDU currently has 61 students in their pipeline. IDU's next graduating class will be in the summer of 2012. IDU's goal is to have a 15% or higher increase in pass rate. The Board expressed confusion regarding the differentiations in the grading scale reflected in the report provided to the Board.

**Board Action:** A motion was made and seconded to approve the plan of correction. Narwold/McIntosh 8-0-0, motion carries

**B. Breckinridge School of Nursing/Merrillville (formerly ITT Tech) Site Visit Report (Narwold/Dolk)**

Jennifer Philbin appeared on behalf of Breckinridge School of Nursing Merrillville. Ms. Dolk and Ms. Narwold discussed the site visit. The site visitors were impressed with documentation and systematic evaluation plan in place for the NLNAC visit and NCLEX. Students had a favorable opinion of the school. Concerns from the site visitors were that the faculty cubicles were too small and too crowded and that grading policies and procedures need to be reviewed. The recommendation is continued initial accreditation until the fall of 2012. Ms. Laux expressed a concern about reviewing records. The staff visitors were unable to complete the process during the site visit. The Board expressed concerns about whether students understand that the courses do not transfer as no articulation agreements are in place. Ms. Philbin noted that this was not in the student handbook but was told to students. Ms. Ogle expressed concern about the Board dictating space requirements and a discussion was held about confidentiality and healthy professional growth and environment. The annual report was not reviewed but the faculty handbooks and student handbooks were reviewed by the site visitors.

**Board Action: A motion was made and seconded for the annual report to be reviewed and the recommendation for continued initial accreditation was approved. A site visit will be scheduled for fall 2012. McIntosh/Laux 8-0-0, motion carries**

**C. MJS School of Nursing ASN Program Site Visit Report (Narwold/Dolk)**

Annette Murray appeared on behalf of MJS. Ms. Narwold reported a correction to the report that Ms. Murray is MSN prepared. The campus currently has 4 students that will graduate in March. The site visitors expressed concerns that there are several general education faculty members that have no documentation that a foreign degree transferred in as an equivalent masters degree. Students are very diverse and are very enthusiastic about the program. The students are completing Kaplan review. The policies in place are good but the lack of resources is a concern. Students do not have access to CINAL. They have clinical facilities and staff who are very pleased with their students. The recommendation is continued initial accreditation. The cohort is scheduled to graduate in March 2012. They need to build up their resources in order to obtain NLNAC accreditation. They also made a change in their business plan without the Board's knowledge. Ms. Laux indicated that the students must have access to basic resources including CINAL. Ms. Laux expressed concern about matriculation to other programs as their credits will not transfer as no articulation agreements are in place. They have 12 students scheduled to begin in the next cohort. Ms. McIntosh directed the Board to 848 IAC 1-2-20.

**Board Action: A motion was made and seconded for the resources to be reevaluated and the general education faculty qualifications to be reviewed prior to the admission of the next nursing class. The Board would also like to see the passing scores for the March cohort on the NCLEX. Narwold/Laux 8-0-0**

**D. Brown Mackie Merrillville PN Program Site Visit Report (Narwold/Dolk)**

Representatives appeared on behalf of Brown Mackie Merrillville. Ms. Narwold reported about the site visit. The site visit was conducted to reevaluate the corrective action plan in place. Their pass rates have improved since last year. They have implemented several programs to increase pass rates. They have contracted with Exam Force to purchase 100 licenses (May 2011) and an additional 150 licenses since that time. They have encouraged students to utilize a program called "Cram Master" to aid in their NCLEX study. They have added a tutorial to increase usage in the live review. The Board asked a question as to why the NCLEX pass rate decreased in the second and third quarters of 2011. In 2012 they will be introducing team based learning into the campus. Admission criteria were changed in July 2010 from open enrollment to successful passage of Compass and TEAS to enroll in the program. The recommendation is to continue conditional accreditation. Ms. Hall indicated that the program has not met the pass rate for six years and they have been on conditional accreditation for a year. Ms. Ogle would like to see the original corrective action plan and a self evaluation with next steps. Ms. Laux expressed a concern regarding their clinical sites and student drug screens. Representatives from Brown Mackie indicated they have had difficulty obtaining sites for pediatrics, ob and acute care. Brown Mackie representatives passed out a handout of current clinical sites. Brown Mackie indicated they are now doing drug screens through a third party vendor. Ms. Laux expressed concerns that they still do not have adequate clinical sites as the only new site they have provided is a school system. Ms. Laux asked about long term care and staff is currently sending students to 7 sites for long term care. Mr. Burghdoff asked when they expect the pass rate to enter the 80<sup>th</sup> percentile and stay there. The staff indicated their next graduating cohort is December 2012. Brown Mackie representatives indicated that they anticipate an 80% with their next cohort. Ms. Hall expressed a concern that since 2006 their pass rates have been poor and they have known since 2006 that something in their program is not working. Ms. Narwold has visited the campus once since they have been on conditional accreditation. There are 13 students in the December 2012 cohort and they are admitting 15 students per quarter.

**Board Action: A motion was made and seconded to bring the program back after completion of the December 2011 cohort and evaluate these test scores. If there is no improvement, it is likely that accreditation for the program will be withdrawn. The December 2011 cohort's NCLEX pass rate must meet the national standard. The Board will reevaluate the program in June 2012. The program will not be allowed to admit new students at this time. Laux/Ogle 7-1-0 (Narwold against)**

**E. ITT-Tech/Breckinridge School of Nursing – Indianapolis Campus re: NLNAC Denial**

Representatives from the Breckinridge School of Nursing-Indianapolis appeared. The school has a survey completed in February 2011. The school had changes in faculty and administration within months of the NLNAC visit and the school could not provide some of the evidence requested. They have hired a consultant to meet those standards. Ms. Hall asked where they are at in the process now. Representatives indicated they have addressed all recommendations including a student liaison committee and student involvement in faculty meetings. They have to do another self study and are working with their NLNAC mentor. They hope to have their study complete and an additional visit by NLNAC in 2012. Students are aware that they are graduating without NLNAC accreditation. Representatives indicated they have an RN to BSN program and 2 articulation agreements with Kaplan University and Grand Canyon University in Arizona. Ms. Hall asked about clinical sites without NLNAC accreditation. Representatives are utilizing a few hospitals, observational experiences and long term care. For peds they use Especially Kidz, well child clinics and summer camps. For ob they utilize Decatur County Hospital. Their last graduating cohort was 32 students. They admit 30 students per quarter. They have 220 students per quarter at this time.

**Board Action: A motion was made and seconded to conduct a site visit and that they put a self improvement plan into place. Hall/Laux 8-0-0**

- F. FYI Only- Effective 12/1/11 Tennyson Mgutshini resigned as chair of Department of Baccalaureate Nursing Completion; Esther Acree named Acting Chairperson of LPN/LVN to BS nursing track at Indiana State University**
- G. FYI Only- Effective 12/5/11 Katelyn Carmichael resigned as Director of the Marion Community School of Practical Nursing; Amanda Leffler named Director.**

## **VI. DISCUSSION**

### **A. IPNA Scholarship Presentation**

Annette Fisher appeared on behalf of the Indiana Practical Nurses Association. The scholarship winners were announced after an essay and letters of recommendation were approved by the IPNA. The first recipients were Jessica Flynn from Vincennes University, Angela Greenwell from Medtech College (Greenwood) and Amy Young from Ivy Tech-Terre Haute.

B. The Board requested a true reflection of the aging of cases from the Office of the Attorney General. Mr. Burghduff indicated that the facts in some cases set for this meeting go back as late as the 1990's. Mr. White indicated that the charts that have been provided may not provide an accurate representation of all cases. Mr. Burghduff made a request for an updated report to DAG Jason Gross who indicated that he would pass this information on to his director, Gabrielle Owens.

### **C. BOARD DIRECTOR REPORT**

Ms. Crawford reported on the hiring of a compliance director (Lori Grice), a compliance liaison (Joyce Krawczyk) and an assistant board director to replace Ms. Grice (Linda Stephenson). A request has been made to eliminate the CGFNS requirement by the Philippine Nurse Association. The Board heard a presentation on this in 2008. Ms. Crawford suggested inviting them to the Board in February 2012 for a new presentation as both staff and Board members have changed since that time and the Board agreed. A reminder was made for all Board members to make arrangements to attend the full Board meeting in Muncie on January 19, 2012. Ms. Crawford commended the work of the Office of the Attorney General in working with Board staff to shorten the amount of time between ISNAP closure and Board action. The Board was apprised of the amount of new administrative complaints filed in the last 2 ½ months. Approximately 160 complaints have been filed during this time period and the Board staff is now scheduling hearings for March 2012.

## **VIII. PERSONAL APPEARANCES**

**8:45 a.m.**

**Board Action: A motion was made and seconded to approve the Administrative Law Judge recommendations from 12/15/11. Dolk/Burghduff. 7-0-1 (Laux abstains)**

### **A. Appearances by Applicants for Licensure**

1. Lynedra Howard Examination positive response  
Ms. Howard appeared regarding her application for licensure by examination. She answered yes to a question and had a history on her criminal background check regarding an arrest for theft. She states she has had no further incidents since 1998. She presented letters of support and has been working at a hospital for three years. The ALJ recommended that she be allowed to test and be issued a probationary license for 6 months with 2 quarterly supervisor reports.

2. Kaley Brennen Examination positive response  
Ms. Brennen appeared regarding her application for licensure by examination. She answered yes to the question regarding treatment for drug and alcohol abuse. She explained that she has 2 arrests for possession of marijuana that belonged to a passenger when she was stopped during a traffic violation. She stated she was not convicted but had to complete some classes. The ALJ recommended that she be allowed to test and that her license be issued free and clear.

3. Brandy Stinson                      Endorsement RN/APN/CSR                      positive response  
Ms. Stinson appeared regarding her application for licensure by endorsement along with an application for APN/CSR. She reported her KY license was disciplined for giving Lortab to a physician at his request. She had the prescription for the medication. When confronted, she initially lied about the situation. She was required to complete CEs and pay a fine. This happened in 2003. She is licensed in several states and some of those licenses have been disciplined as a result of the KY board order. She was a travel nurse but could not meet the stipulations of some of those licensure requirements. She is seeking a stationary position. She stated she is taking medication for sleep and for pain. The ALJ recommended that her license be issued free and clear.

4. Dawn Rigsby                      Examination                      positive response  
Ms. Rigsby appeared regarding her application for licensure by examination. She reported a theft of \$150 in cash from Wal-Mart while working as a seasonal cashier in 2004. She violated her probation by not completing a class in a timely manner. She also reported an arrest in 2007 for traffic violations but stated someone else had taken her driver's license and personal identification. The ALJ recommended her license be issued free and clear.

5. Mark Till                      Examination                      positive response  
Mr. Till appeared regarding his application for licensure by examination. He reported 2 DUIs in 1996 and 2001. His BAC was .15. He is retired from the military after 25 years. He reports his date of sobriety is 3/5/03 and states he no longer participates in AA. He is working as a PCA in a hospital. The ALJ recommended that he be allowed to test and that his license be issued free and clear.

6. Kelly Sparks                      Endorsement                      positive response  
Ms. Sparks appeared regarding her application for licensure by endorsement. She reported a fraud charge in TN for obtaining prescription drugs by providing a physician's DEA number to someone who attempted to get the drugs. She reported being arrested in 2011 for the warrant issued in 2009. She states she is on criminal probation for that incident. The ALJ recommended that her application be denied.

7. Sara Davis                      Examination                      graduated in 2007  
Ms. Davis appeared regarding her application for licensure by examination. She has failed the NCLEX twice since finishing school in 2003. She tested and failed in 2003 and 2004. The ALJ recommended that she complete a review course and provide proof of 95% probability of passing; upon this proof, she will be allowed to test.

**B. Appearances by Applicants for Renewal**

1. Peggy Gregory                      28113553A                      positive response **CONTINUED**

2. Margaret Uebelhoer                      28105421A                      positive response (Laux abstains)  
Ms. Uebelhoer appeared with counsel regarding the positive response on her renewal application for RN licensure. Her license expired 10/31/11 and she applied to renew it on 11/16/11. She reported an arrest for public intoxication after being accused of stealing a cell phone and completed a diversion program in Jan. 2011. She also reported a malpractice suit from 2005 has been settled. She reported another malpractice suit is pending over the same incident. She is a nurse anesthetist and stated the malpractice allegation occurred due to the hospital's inadequate equipment. She stated she no longer works for that employer and has been with the same employer since 2006. She requested that her license be made Valid to Practice. The ALJ recommended that the matter be referred to the AG's office for investigation. Ms. Uebelhoer and her counsel met with the full board to further explain the circumstances of her expired renewal. The BON voted to deny her renewal and refer the matter to the AG's office for investigation. A motion was made to refer to the OAG and allow to renew as valid to practice. Burghduff/Narwold (4-3-1, motion fails). A motion was made and seconded to refer the matter to the Office of the Attorney General and deny her renewal. (Ogle/Hall, 5-2-1 (McIntosh/Burghduff, against , Laux abstains), motion carries

3. Theresa Burke                      27016782A                      license expired 1986  
Ms. Burke appeared regarding renewal of her RN license that expired in 1986. She appeared with her husband who is also her counsel. She stated she wants an active IN license so she can return to school in IL. She has not had an active nursing license since 1998. The ALJ recommended that her license be renewed on probation so she can return to school. She may petition for the probation to be lifted when she is ready to do the clinical component of her training.

4. Maryann Hire                      28096976A                      worked on expired license  
Ms. Hire appeared before the ALJ regarding renewal of her RN license. She stated that she discovered on 12/2/11 that her license expired 10/31/11. She has not worked since as a school nurse and appeared with the superintendent of her school. She stated she did not receive email or mailed reminders to renew. She stated she is on administrative leave pending the outcome. The ALJ recommended that her license be renewed.

5. Ann Langager (Sikorski) 28145481A positive response  
Ms. Langager Sikorski was to appear regarding the positive response on her RN renewal. She also had a prehearing settlement agreement earlier in the date and that matter will go forward.

6. Susan Batten 28104341A positive response (set for 1:30 p.m.)  
Respondent appeared in person. Ms. Batten appeared regarding her application for renewal. Ms. Batten's license was suspended by the Board and she filed for judicial review. A stay of the suspension was issued by the trial court. Ms. Batten indicated that she has been compliant with ISNAP and Chuck Lindquist indicated that her UDS in November and December 2011 were negative. These drug screens were not tested for Lyrica. Batten indicated that she has been taking Lyrica. The matter was continued at this point for additional information from ISNAP. Mr. Lindquist indicated she is fully compliant with monthly reports, AA logs and UDS but ISNAP does not screen for Lyrica. Dr. Kelly does not indicate she was taking Lyrica. In monthly reports going back to June there was no indication she was taking Lyrica. In last 12 months Ms. Batten has had 6 prescriptions for Lyrica with the latest in October. There were no other scheduled drugs on the INSPECT. Ms. Batten indicates she was on short term disability until November 21, 2011. Board members participating: Burghduff, Presley, Hall Dolk, Ogle, Laux, McIntosh. Board Action: A motion was made and seconded to deny the renewal. Ogle/Presley, 6-1-0 (Burghduff against)

7. Rob Shipley positive response  
Mr. Shipley appeared with counsel regarding the positive response on his RN renewal application. He reported an arrest for DUI in 2009 due to prescription medication he was taking. He stated he had transported a patient then hit a curb after which he was pulled over. He feels he was over-medicated for anxiety and had been tired from working long hours. He stated it happened in IL and as a result, he stopped taking all medication. He provided documentation from his physician that he is safe to practice. The ALJ recommended that his license be renewed

#### IX. ADMINISTRATIVE HEARINGS

The court reporter for all hearings on this date was Joyce Shinault from Accustar Reporting.

**A. In the Matter of the License of: Peggy Jo Gregory, R.N., License No. 28113553A**

Administrative Cause No. 2011 NB 122  
Re: Order to Show Cause  
Petition for Voluntary Extension of Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Dolk, Hall, McIntosh, Ogle, Laux, Presley

**Board Action:**

The parties filed an agreement for extension of the summary suspension in this matter. A motion was made and seconded to approve the agreement. Burghduff/Ogle, 7-0-0, motion carries

**B. In the Matter of the License of: Joan Dyben, L.P.N., License No. 27040050A**

Administrative Cause No. 2008 NB 0209  
Re: Order to Show Cause

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

**Participating Board Members:**

Burghduff (Hearing Officer), Dolk, Hall, McIntosh, Ogle, Narwold

**Board Action:**

Ms. Dyben requested a continuance of the matter on December 13, 2011 due to financial difficulty in traveling to Indianapolis. A motion was made and seconded to grant this request. Burghduff/Dolk, 5-0-0, motion carries. Ms. Gibson then requested a summary suspension in this matter. After a hearing, a motion was made and seconded to issue a summary suspension in this matter. Burghduff/Ogle, 5-0-1, motion carries (Narwold abstains)

**C. In the Matter of the License of: Lori Gough, R.N., License No. 28107046A**

**VACATED**

Administrative Cause No. 2010 NB 005  
Re: Order to Show Cause

**D. State of Indiana v. Yvonne Priest, R.N., License No. 28090455A**

Administrative Cause No. 2010 NB 302  
Re: Order to Show Cause

**Parties and Counsel Present:**

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

**Participating Board Members:**

Burghduff (Hearing Officer), Dolk, Hall, McIntosh, Ogle, Laux, Presley

**Board Action:**

A notice of proposed default was requested in this matter. A motion was made and seconded to issue a notice of proposed default. Burghduff/Ogle, 7-0-0, motion carries

Petitioner then requested a summary suspension. After a hearing, a motion was made and seconded to grant the summary suspension in this matter. Burghduff/Ogle, 7-0-0, motion carries

**E. In the Matter of the License of: Elizabeth Roach, R.N., License No. 28119645A**

Administrative Cause No. 2011 NB 408

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Laux, Presley

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written.

Burghduff/Laux 7-0-1, motion carries (Narwold abstains)

**F. In the Matter of the License of: Sonya Roberts, L.P.N., License No. 27047961A**

Administrative Cause No. 2011 NB 433

Re: Final Disciplinary Hearing

**CONTINUED**

**G. In the Matter of the License of: Ashley Carroll, L.P.N., License No. 27062947A**

Administrative Cause No. 2011 NB 434

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/Ogle, 5-0-1, motion carries (Narwold abstains)

**H. In the Matter of the License of: Michelle Rife, L.P.N., License No. 27054037A**

Administrative Cause No. 2011 NB 435

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/McIntosh, 5-0-1, motion carries (Narwold abstains)

**I. In the Matter of the License of: Danielle Earl, L.P.N., License No. 27053259A**

Administrative Cause No. 2011 NB 348

Re: Final Disciplinary Hearing

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Laux, Presley

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/Ogle, 7-0-1, motion carries (Narwold abstains)

**J. In the Matter of the License of: Constance Crawford, L.P.N, License No. 27051878A**

Administrative Cause No. 2011 NB 346

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. 4-1-1, motion fails. A motion was made and seconded to reject the settlement agreement. Burghduff/McIntosh, 5-0-1, motion carries (Narwold abstains)

**K. In the Matter of the License of: Virginia Olds, R.N., License No. 28183459A**

Administrative Cause No. 2011 NB 357

Re: Final Disciplinary Hearing

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

**Participating Board Members:**

Burghduff (Hearing Officer), Dolk, Hall, McIntosh, Ogle, Laux, Presley, Narwold

**Board Action:**

A notice of proposed default was requested in this matter. A motion was made and seconded to issue a notice of proposed default. Burghduff/McIntosh, 8-0-0, motion carries

Petitioner then requested a summary suspension. After a hearing, a motion was made and seconded to grant the summary suspension in this matter. Narwold/Ogle, 8-0-0, motion carries

**L. In the Matter of the License of: Sarah Shepherd, R.N., License No. 28175380A**

Administrative Cause No. 2011 NB 356

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Laux, Presley

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Narwold/Presley, 8-0-0, motion carries

**M. In the Matter of the License of: Traci Quinn, R.N., License No. 28143020A**

**CONTINUED**

Administrative Cause No. 2011 NB 308

Re: Final Disciplinary Hearing

**N. In the Matter of the License of: Melissa Hamilton, R.N., License No. 28129566A**

**CONTINUED**

Administrative Cause No. 2011 NB 284

Re: Final Disciplinary Hearing

**O. In the Matter of the License of: Tracy Hearn, R.N., License No. 28166702A**

Administrative Cause No. 2011 NB 354

Re: Final Disciplinary Hearing

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Laux, Presley

**Board Action:**

Petitioner requested a continuance in this matter. A motion was made and seconded to grant the continuance. Narwold/Presley, 8-0-0, motion carries

**P. In the Matter of the License of: Shirley Stanford, L.P.N., License No. 27050297A**

**CONTINUED**

Administrative Cause No. 2011 NB 388

Re: Final Disciplinary Hearing

**Q. In the Matter of the License of: Cindy Merrill, R.N., License No. 28149716A**

**CONTINUED**

Administrative Cause No. 2011 NB 387

Re: Final Disciplinary Hearing

**R. In the Matter of the License of: Jeanette Duncan, R.N., L.P.N., License Nos. 28163424A, 27054934A**

Administrative Cause No. 2011 NB 385

**CONTINUED**

Re: Final Disciplinary Hearing

**S. In the Matter of the License of: Gustav Schlueter, R.N., License No. 28169681A**

**CONTINUED**

Administrative Cause No. 2011 NB 383

Re: Final Disciplinary Hearing

**T. In the Matter of the License of: Tovia Allen, L.P.N., License No. 27050270A**

Administrative Cause No. 2011 NB 375

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Jessica Joshua, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/Dolk, 8-0-0, motion carries

**U. In the Matter of the License of: Bonita Edgeworth, R.N., License No. 28188020A**

Administrative Cause No. 2011 NB 216

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to reject the settlement agreement as written. Burghduff/Ogle, 5-0-0, motion carries

**V. In the Matter of the License of: Kimberly Jackson, R.N., License No. 28129757A**

Administrative Cause No. 2011 NB 263

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to approve the settlement agreement as written. Burghduff/Dolk, 5-0-0, motion carries

**W. In the Matter of the License of: Allison Colbert, R.N., License No. 28156261A**

Administrative Cause No. 2011 NB 168

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to reject the settlement agreement as written. Hall/McIntosh, 5-0-0, motion carries

**X. In the Matter of the License of: Shay Williams, R.N., License No. 28187334A**

Administrative Cause No. 2011 NB 287

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/Narwold, 6-2-0, motion carries (Laux/McIntosh against)

**Y. In the Matter of the License of: Holly Azbill, R.N., License No. 28160962A**

Administrative Cause No. 2011 NB 012

Re: Final Disciplinary Hearing

**Parties and Counsel Present:**

Laura Wilford, Deputy Attorney General, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

Holly Azbill, Respondent

Joseph Azbill, Respondent's spouse

**Participating Board Members:**



Burghduff (Hearing Officer), Dolk, Hall, McIntosh, Presley, Laux, Ogle, Narwold

**Board Action:**

A hearing was held in this matter. After the hearing, a motion was made and seconded to place the Respondent's license on indefinite suspension. Respondent must demonstrate six months of full compliance in an ISNAP RMA. Ogle/Laux, 5-1-2, motion carries (Dolk against, Narwold and Hall abstain)

**Z. In the Matter of the License of: Julie Lynn Clark, R.N., License No. 28137814A**

**CONTINUED**

Administrative Cause No. 2011 NB 280

Re: Final Disciplinary Hearing

**AA. In the Matter of the License of: Anthony John Clemente, L.P.N., License No. 27039578A**

Administrative Cause No. 2011 NB 290

Re: Final Disciplinary Hearing

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

Petitioner requested a notice of proposed default. A motion was made and seconded to issue a notice of proposed default in this matter. Laux/McIntosh 8-0-0

**BB. In the Matter of the License of: Sally Ann Daggy, R.N., License No. 28053905A**

Administrative Cause No. 2011 NB 170

Re: Final Disciplinary Hearing

Proposed Settlement Agreement

**Parties and Counsel Present:**

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to reject the settlement agreement as written. Burghduff/Ogle, 5-0-0, motion carries

**CC. In the Matter of the License of: Danelle Grogg, L.P.N., License No. 27060921A**

Administrative Cause No. 2011 NB 266

Re: Final Disciplinary Hearing

Proposed Settlement Agreement

**Parties and Counsel Present:**

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/Hall, 3-2-0, motion fails. A motion was made and seconded to reject the settlement agreement as written. Ogle/McIntosh 5-0-0, motion carries

**DD. In Matter of the License of: Glenn Alan Loving, L.P.N., License No. 27053770A**

Administrative Cause No. 2011 NB 200

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/Ogle, 7-0-1, motion carries (Narwold abstains)

**EE. In the Matter of the License of: Darlena Fay McQueen, L.P.N., License No. 27023113A**

**CONTINUED**

Administrative Cause No. 2011 NB 193

Re: Final Disciplinary Hearing

**FF. In the Matter of the License of: Anna Denise Moye, L.P.N., License No. 27039560A**

Administrative Cause No. 2011 NB 051

Re: Final Disciplinary Hearing

Response from Respondent

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

Petitioner requested a notice of proposed default. A motion was made and seconded to issue a notice of proposed default in this matter. Burghduff/Presley, 8-0-0, motion carries

**GG. In the Matter of the License of: Sam O'Gonuwe, R.N., License No. 28162580A**

**CONTINUED**

Administrative Cause No. 2011 NB 187

Re: Final Disciplinary Hearing

**HH. In the Matter of the License of: Katie Parker- Bauch, L.P.N., License No. 27048505A**

Administrative Cause No. 2011 NB 267

Re: Final Disciplinary Hearing

Proposed Settlement Agreement

**Parties and Counsel Present:**

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Ogle/Burghduff, 5-0-0, motion carries

**II. In the Matter of the License of: Patricia Pence, L.P.N., License No. 27039250A**

Administrative Cause No. 2011 NB 262

Re: Final Disciplinary Hearing

Proposed Settlement Agreement

**Parties and Counsel Present:**

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/Ogle, 5-0-0, motion carries

**JJ. In the Matter of the License of: Jamie Totten, R.N., License No. 28151281A**

Administrative Cause No. 2011 NB 313

Re: Final Disciplinary Hearing

Amended Proposed Settlement Agreement

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

The parties filed an amended proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/Presley, 8-0-0, motion carries

**KK. In the Matter of the License of: Ann T. Wendling, R.N., License No. 28104140A**

Administrative Cause No. 2011 NB 180

Re: Final Disciplinary Hearing

Re: Petition for Renewal of Summary Suspension

**Parties and Counsel Present:**

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

Ann Wendling, Respondent

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Presley, Laux

**Board Action:**

The parties appeared in person and verbally agreed to renew the summary suspension for a period of ninety days. The final hearing in this matter was previously continued. Burghduff/Laux, 7-0-0, motion carries

**LL. In the Matter of the License of: Meranda Wilson, L.P.N., License No. 27048975A**

Administrative Cause No. 2011 NB 248

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

The parties filed an amended proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Narwold/Burghduff, 8-0-0, motion carries

**MM. In the Matter of the License of: Patrick Delaney, R.N., License No. 28199971A**

Administrative Cause No. 2011 NB 443

Re: Request to Withdraw Probation

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

Patrick Delaney, Respondent

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Presley, Laux, Narwold

**Board Action:**

A hearing was held regarding Petitioner's request to withdraw probation. A motion was made and seconded to withdraw the probation. Burghduff/Ogle, 8-0-0, motion carries

**NN. In the Matter of the License of: Rebekah Leah Grandi, R.N., License No. 28186191A**

Administrative Cause No. 2010 NB 209

Re: Final Disciplinary Hearing

**Parties and Counsel Present:**

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Laux, Presley

**Board Action:**

Petitioner requested a continuance in this matter. A motion was made and seconded to grant the continuance. Burghduff/Laux, 7-0-0, motion carries

**OO. In the Matter of the License of: Tracy Manns, R.N., License No. 28153687A**

Administrative Cause No. 2011 NB 431

Re: Order to Show Cause

**Parties and Counsel Present:**

Christina Clark, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

Tracy Manns, Respondent

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Presley, Laux

**Board Action:**

A hearing was held regarding an order to show cause issued in this matter. A motion was made and seconded to place Respondent's license on indefinite suspension for a minimum of one year with full and complete compliance in an ISNAP RMA. Burghduff/Ogle, 7-0-0, motion carries

**PP. In the Matter of the License of: Rebecca Winder, R.N., License No. 28198668A**

Administrative Cause No. 2011 NB 240

Re: Order to Show Cause

**Parties and Counsel Present:**

Christina Clark, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Presley, Laux

**Board Action:**

Respondent failed to appear for the Order to Show Cause hearing and the State requested a notice of proposed default. A motion was made and seconded to issue a notice of proposed default. Burghduff/Hall 7-0-0, motion carries The State then requested a summary suspension of Respondent's license. After a hearing, a motion was made and second to grant the summary suspension. Burghduff/Ogle 7-0-0, motion carries

**QQ. In the Matter of the License of: Amanda Hubbard, L.P.N., License No. 27067633A**

Administrative Cause No. 2011 NB 363

Re: Petition for Review of Decision on License Application

**Parties and Counsel Present:**

Amanda Hubbard, Petitioner

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Presley, Laux, Narwold

**Board Action:**

A hearing was held regarding Petitioner's appeal of the decision made on her license application. After the hearing, a motion was made and seconded to issue free and clear. 4-3-1, Narwold/Dolk, (Burghduff abstains), motion fails. A motion was then made and seconded to modify the probation to six months of active nursing practice. Laux/Ogle, 6-1-1 (Narwold against, Burghduff abstains)

**RR. In the Matter of the License of: Kelly Martin, L.P.N., License No. 27033297A**

Administrative Cause No. 2011 NB 460

Re: Final Disciplinary Hearing

Motion to Dismiss Complaint

**Parties and Counsel Present:**

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh

**Board Action:**

The State of Indiana filed a motion to dismiss based on the fact that the licensee successfully completed ISNAP and a probation with the Board based on a personal appearance. A motion was made and seconded to dismiss the case. Burghduff/Hall, 5-0-0, motion carries

**SS. In the Matter of the License of: Mitchel Rowison, R.N., License No. 28189674A**

Administrative Cause No. 2011 NB 531

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Presley, Laux, Narwold

**Board Action:**

A hearing was held regarding a petition for summary suspension filed in this matter. After a hearing, a motion was made and seconded to grant the request for summary suspension. Burghduff/Narwold, 8-0-0, motion carries

**TT. In the Matter of the License of: Elizabeth Rye-Brooks, L.P.N., License No. 27053860A**

Administrative Cause No. 2011 NB 532

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Presley, Laux, Narwold

**Board Action:**

A hearing was held regarding a petition for summary suspension filed in this matter. After a hearing, a motion was made and seconded to grant the request for summary suspension. Narwold/Dolk, 8-0-0, motion carries

**UU. In the Matter of the License of: Kimberly Warner, R.N., License No. 28134386A**

Administrative Cause No. 2011 NB 534

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Presley, Laux, Narwold

**Board Action:**

A hearing was held regarding a petition for summary suspension filed in this matter. After a hearing, a motion was made and seconded to grant the request for summary suspension. Laux/Ogle, 8-0-0, motion carries

**VV. In the Matter of the License of: Bridgette Wayo, R.N., License No. 28164447A**

Administrative Cause No. 2011 NB 535

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, Indiana State Nurses Assistance Program

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Presley, Laux, Narwold

**Board Action:**

A hearing was held regarding a petition for summary suspension filed in this matter. After a hearing, a motion was made and seconded to grant the request for summary suspension. OgleNarwold, 8-0-0, motion carries

**WW. In the Matter of the License of: Kelly Edsall, R.N., License No. 28189674A**

Administrative Cause No. 2011 NB 220

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/Ogle 8-0-0, motion carries

**XX. In the Matter of the License of: Janet Winterrowd, L.P.N., License No. 27030604A**

Administrative Cause No. 2011 NB 340

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

The parties filed an amended proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/Presley, 6-2-0, motion carries (Ogle and McIntosh against)

**YY. In the Matter of the License of: Sharon Kluzinski, R.N., License No. 28149004A**

Administrative Cause No. 2011 NB 333

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Patricia Gibson, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

The parties filed an amended proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Burghduff/Presley, 6-1-1, motion carries (Ogle against, Narwold abstains)

**ZZ. In the Matter of the License of: Kelly Kerner, L.P.N., License No. 27061966A**

Administrative Cause No. 2011 NB 534

Re: Petition for Extension of Summary Suspension

**Parties and Counsel Present:**

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Presley, Laux

**Board Action:**

The parties, in person, presented a verbal agreement for extension of summary suspension. A motion was made and seconded to accept the agreement for extension of summary suspension. McIntosh/Ogle 7-0-0, motion carries

**AAA. In the Matter of the License of: Lori Jane Gottfried, R.N., License No. 28148020A**

Administrative Cause No. 2011 NB 404

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Jessica Joshua, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to reject the settlement agreement as written. Burghduff/Ogle, 8-0-0, motion carries

**BBB. In the Matter of the License of: Amy Brown, R.N. License No. 28137757A**

Administrative Cause No. 2011 NB 571

Re: Appeal of Denial of Renewal

**Parties and Counsel Present:**

Lorie Brown, on behalf of Petitioner

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Presley, Laux

**Board Action:**

Petitioner filed an appeal of the denial of her registered nurse renewal. A motion was made and seconded to renew the license as valid to practice while under review and refer the matter to the Office of the Attorney General for investigation. The Board requested a referral to the Indiana State Department of Health for Peyton Manning Children's Hospital allowing Ms. Brown to practice for two years without a license. Burghduff/Laux, 6-1-0, motion carries (Hall against)

**CCC. In the Matter of the License of: Crystal Gayle Devillez, L.P.N., License No. 27057699A**

Administrative Cause No. 2011 NB 570

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, ISNAP

**Participating Board Members:**

Burghduff (Hearing Officer), Dolk, Hall, McIntosh, Presley, Laux, Ogle, Narwold

**Board Action:**

Respondent failed to appear for a summary suspension hearing. After the summary suspension hearing, a motion was made and seconded to grant the request for summary suspension. Burghduff/Dolk, 8-0-0, motion carries

**DDD. In the Matter of the License of: Sonja Marie Preston, R.N., License No. 28158561A**

Administrative Cause No. 2011 NB 568

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Witnesses Present:**

Chuck Lindquist, ISNAP

**Participating Board Members:**

Burghduff (Hearing Officer), Dolk, Hall, McIntosh, Presley, Laux, Ogle, Narwold

**Board Action:**

Respondent failed to appear for a summary suspension hearing. After the summary suspension hearing, a motion was made and seconded to grant the request for summary suspension. Burghduff/Hall 8-0-0, motion carries

**EEE. In the Matter of the License of: Darren Edward Law, L.P.N., License No. 27054388A**

Administrative Cause No. 2011 NB 401

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Laura Wilford, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Laux/Ogle, 8-0-0, motion carries

**FFF. In the Matter of the License of: Wendy Marie Kuchel, R.N., License No. 28180647A**

Administrative Cause No. 2011 NB 478

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Laura Wilford, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Narwold, Presley, Laux

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. Narwold/Presley, 8-0-0, motion carries

**GGG. In the Matter of the License of: Jesse Hoffmeyer, R.N., A.P.N., License Nos. 28189623A, 71003208A**

Administrative Cause No. 2011 NB 573

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

David Fleischhacker, Deputy Attorney General, on behalf of the State of Indiana

Latonia Denise Wright, Counsel for Respondent

**Participating Board Members:**

Burghduff (Hearing Officer), Dolk, Hall, McIntosh, Presley, Laux, Ogle, Narwold

**Witnesses Present:**

Jesse Hoffmeyer, Respondent

**Board Action:**

Respondent filed a motion for summary judgment in this matter. A motion was made and seconded to deny the motion for summary judgment and go forward with the summary suspension hearing. Burghduff/Ogle, 8-0-0, motion carries. Counsel filed a motion for separation of witnesses but with only witness present (the Respondent) present was no need to vote on this motion at this time. State's Exhibit B was admitted into evidence under seal. After the summary suspension hearing, a motion was made and seconded to place Respondent's RN and APN licenses on summary suspension. Burghduff/Hall, 7-0-0, motion carries

**X. PREHEARING SETTLEMENT CONFERENCES**

**A. In the Matter of the License of: Mindy Haun, L.P.N., License No. 27051455A**

Administrative Cause No. 2011 NB 343

Re: Prehearing Settlement Conference

The State of Indiana was represented by David Fleischhacker. Ms. Haun failed to appear and the State requested a Notice of Proposed Default. Burghduff/McIntosh 7-0-0, motion carries

**B. In the Matter of the License of: Ann Langager (Sikorski), R.N., License No. 28145481A**

Administrative Cause No. 2011 NB 350

Re: Prehearing Settlement Conference

**C. In the Matter of the License of: Starla Pannell, L.P.N., License No. 27063529A CONTINUED**

Administrative Cause No. 2011 NB 328

Re: Prehearing Settlement Conference

**D. In the Matter of the License of: Michael Jeffery Barcher, R.N., License No. 28187531A**

Administrative Cause No. 2011 NB 329

Re: Prehearing Settlement Conference

**E. In the Matter of the License of: Kelly Jane Buckley, R.N., License No. 28129222A**

Administrative Cause No. 2011 NB 337

Re: Prehearing Settlement Conference

**F. In the Matter of the License of: Erin Rene Arnold, R.N., License No. 28177499A**

Administrative Cause No. 2011 NB 334

Re: Prehearing Settlement Conference

The State of Indiana was represented by Mark Mader. Ms. Arnold failed to appear and the State requested a Notice of Proposed Default. Ogle/Narwold, 8-0-0, motion carries. The State then requested a summary suspension of the Respondent's license. After a hearing, a motion was made and seconded to grant the summary suspension. Burghduff/Ogle, 8-0-0, motion carries

**G. In the Matter of the License of: Patricia A. Jones, L.P.N., License No. 27061881A**

Administrative Cause No. 2011 NB 376

Re: Prehearing Settlement Conference

**H. In the Matter of the License of: Leah N. Everest., License No. 27063128A CONTINUED**

Administrative Cause No. 2011 NB 381

Re: Prehearing Settlement Conference

**I. In the Matter of the License of: Lisa Kay Scarbeary, R.N., License No. 28187980A CONTINUED**

Administrative Cause No. 2011 NB 382

Re: Prehearing Settlement Conference

**J. In the Matter of the License of: Pamela Sue Alexander, L.P.N., License No. 27065068A**

Administrative Cause No. 2011 NB 396

Re: Prehearing Settlement Conference

The State of Indiana was represented by Mark Mader. Ms. Alexander failed to appear and the State requested a Notice of Proposed Default. Laux/Dolk, 8-0-0, motion carries. The State then requested a summary suspension of the Respondent's license. After a hearing, a motion was made and seconded to grant the summary suspension. Ogle/Laux, 8-0-0, motion carries

**K. In the Matter of the License of: Susan Rosemarie Jenkins, L.P.N., License No. 27044795A**

Administrative Cause No. 2011 NB 334

Re: Prehearing Settlement Conference

**L. In the Matter of the License of: Amy Michelle Colby, L.P.N., License No. 27051516A**

Administrative Cause No. 2011 NB 390

Re: Prehearing Settlement Conference  
The State of Indiana was represented by Mark Mader. Ms. Colby failed to appear and the State requested a Notice of Proposed Default. Burghduff/Narwold, 8-0-0, motion carries. The State then requested a summary suspension of the Respondent's license. After a hearing, a motion was made and seconded to grant the summary suspension. Burghduff/Laux, 8-0-0, motion carries

**M. In the Matter of the License of: Darrel Ray Welden, R.N., License No. 28118422A**

Administrative Cause No. 2011 NB 372

Re: Prehearing Settlement Conference

The State of Indiana was represented by Mark Mader. Mr. Welden failed to appear and the State requested a Notice of Proposed Default. McIntosh/Laux, 8-0-0, motion carries.

**N. In the Matter of the License of: Brooke Marie Bozarth, R.N., License No. 28178182A**

**CONTINUED**

Administrative Cause No. 2011 NB 389

Re: Prehearing Settlement Conference

**O. In the Matter of the License of: Jennifer S. Diener, L.P.N., License No. 27054101A**

Administrative Cause No. 2011 NB 395

Re: Prehearing Settlement Conference

The State of Indiana was represented by Mark Mader. Ms. Diener failed to appear and the State requested a Notice of Proposed Default. Burghduff/Ogle, 7-0-0, motion carries (Hall out). The State then requested a summary suspension of the Respondent's license. After a hearing, a motion was made and seconded to grant the summary suspension. Ogle/Laux, 7-0-0, motion carries (Hall out)

**P. In the Matter of the License of: Donna M. Woods, L.P.N., License No. 27033706A**

**CONTINUED**

Administrative Cause No. 2011 NB 332

Re: Prehearing Settlement Conference

**XI. DEFAULT HEARINGS**

**A. In the matter of the License of: Jana Cauthen, L.P.N., License No. 27051679A**

Administrative Cause No. 2011 NB 026

Re: Notice of Proposed Default

**Parties and Counsel Present:**

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana.

**Participating Board Members:**

Burghduff (Hearing Officer) Dolk, Hall, Ogle, McIntosh

**Case Summary and Board Action:** The State requested that default be issued against the Respondent.

Burghduff/Ogle, 5-0-0, Default Issued

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, may not lift until one year of ISNAP RMA compliance, continuing education 12 medication, 12 pharmaceutical, 6 documentation and 6 assessment and costs. Burghduff/Hall, 5-0-0, motion carries

**B. In the Matter of the License of: Martha York, R.N., License No. 28069794A**

Administrative Cause No. 2011 NB 169

Re: Proposed Settlement Agreement

**Parties and Counsel Present:**

Jason Gross, Deputy Attorney General, on behalf of the State of Indiana

John Ferguson, Certified Legal Intern, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh

**Board Action:**

The parties filed a proposed settlement agreement that would impose various requirements to Respondent. A motion was made and seconded to accept the settlement agreement as written. McIntosh/Ogle, 5-0-0, motion carries

**C. In the Matter of the License of: Cristina Williams, R.N., License No. 28183505A**

Administrative Cause No. 2011 NB 260

Re: Notice of Proposed Default

The State of Indiana was represented by Patricia Gibson. The State requested a Default. Burghduff/Narwold, 8-0-0, motion carries. After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension must have discipline cleared in all other states, \$500 fine, costs and successful completion of ISNAP RMA.

Burghduff/Narwold 8-0-0, motion carries

**D. In the Matter of the License of: Lynnetta Jenkins, R.N., License No. 245**

Administrative Cause No. 2010 NB 245

Re: Notice of Proposed Default and Summary Suspension Order

Response from Respondent



**Parties and Counsel Present:**

Laura Wilford, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Laux, Presley, Narwold

**Board Action:**

The State requested that default be issued against the Respondent.

Burghduff/Ogle, 8-0-0, Default Issued

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension for a period of five years, a fine, continuing education, costs and one year of documented compliance in an ISNAP RMA. Narwold/Ogle, 8-0-0, motion carries

**E. In the Matter of the License of: Michelle Shingleton, R.N., License No. 28169869A**

Administrative Cause No. 2011 NB 222

Re: Notice of Proposed Default

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Laux, Presley, Narwold

**Board Action:**

The State requested that default be issued against the Respondent.

Burghduff/McIntosh 8-0-0, default issued

After a hearing, a motion was made and seconded to place Respondent's license on Indefinite suspension, 1 year of compliance in ISNAP RMA, quarterly INSPECT reports, fine, continuing education and costs. Narwold/Ogle 8-0-0. Motion carries

**F. In the Matter of the License of: Melissa Tomlinson, R. N., License No. 28170340A**

Administrative Cause No. 2011 NB 223

Re: Notice of Proposed Default

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Laux, Presley, Narwold

**Board Action:**

The State requested that default be issued against the Respondent.

Narwold/Laux, 8-0-0, default issued

After a hearing, a motion was made and seconded to place Respondent's license on Indefinite suspension, 1 year of compliance in ISNAP RMA, quarterly INSPECT reports, fine, continuing education and costs. Laux/Ogle 8-0-0. Motion carries

**G. In the Matter of the License of: Brittany Kirby, L.P.N., License No. 27063925A**

Administrative Cause No. 2011 NB 221

Re: Notice of Proposed Default & Order

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General, on behalf of the State of Indiana

**Participating Board Members:**

Burghduff (Hearing Officer), Hall, Dolk, Ogle, McIntosh, Laux, Presley, Narwold

**Board Action:**

The State requested that default be issued against the Respondent.

Narwold/Ogle 8-0-0, default issued

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, continuing education and costs. Laux/Hall 8-0-0. Motion carries

**XII. ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS**

**Board Action: A motion was made and seconded to approve the November administrative law judge recommendations as written. Ogle/Presley, 8-0-0, motion carries.**

**Board Action: A motion was made and seconded to approve the December administrative law judge recommendations as written. Burghduff/Hall, 8-0-0, motion carries**

**1. In the Matter of the License of: Shaun Michelle Owens, R.N., License No. 28109756A**

Administrative Cause No. 2007 NB 0099

Re: Request to Withdraw Probation

Deputy Attorney General Jason Gross appeared on behalf of the State of Indiana. Petitioner appeared in person and waived the right to counsel. Petitioner and Charles Lindquist, Indiana State Nurses Assistance Program, were sworn in as witnesses. After a hearing, ALJ Slagle recommended that the probationary status of Ms. Owens' license be withdrawn.

**2. In the Matter of the License of: Molly Brammer, R. N., License No. 28194033A**

Administrative Cause No. 2010 NB 217

Re: Request to Withdraw Probation

Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. Petitioner appeared in person and waived the right to counsel. Petitioner was sworn in as a witness. After a hearing, ALJ Slagle recommended that the probationary status of Ms. Brammer's license be denied as she needs to have two additional quarterly reports from the employer prior to petitioning to withdraw probation again.

**3. In the Matter of the License of: Erica Cuadra, R.N., License No. 28187037A**

Administrative Cause No. 2009 NB 274

Re: Request to Withdraw Probation

Deputy Attorney General Patricia Gibson appeared on behalf of the State of Indiana. Petitioner appeared in person and waived the right to counsel. Petitioner and Charles Lindquist, Indiana State Nurses Assistance Program, were sworn in as witnesses. After a hearing, ALJ Slagle recommended that the probationary status of Ms. Cuadra's license be withdrawn.

**4. State of Indiana v. Deanna Elaine Hembree, R.N., License No. 28126104A**

Administrative Cause No. 2004 NB 0065

Re: Request to Reinstate

Deputy Attorney General David Fleischhacker appeared on behalf of the State of Indiana. Petitioner appeared in person and waived the right to counsel. Petitioner and Charles Lindquist, Indiana State Nurses Assistance Program, were sworn in as witnesses. After a hearing, ALJ Slagle recommended that Ms. Hembree's license be reinstated on a probationary status. Before returning to active nursing practice, Respondent must submit proof of completion of a refresher course to the Board. Respondent shall be on indefinite probation and may not apply for withdrawal until she has one year of active nursing practice, one year of full compliance with ISNAP, quarterly employer reports to the Board if employed or self reports to the Board if not.

**5. In the Matter of the License of: Maria Gui, R.N., License No. 28193562A**

Administrative Cause No. 2010 NB 219

Re: Request to Withdraw Probation

Deputy Attorney General Jason Gross appeared on behalf of the State of Indiana. Petitioner appeared in person and waived the right to counsel. Petitioner was sworn in as a witness. After a hearing, ALJ Slagle recommended that the probationary status of Ms. Gui's license be withdrawn.

**6. State of Indiana v. Shannon M. Bewley, R.N., License No. 28151592A**

Administrative Cause No. 2006 NB 0114

Re: Request to Withdraw Probation

Deputy Attorney General Patricia Gibson appeared on behalf of the State of Indiana. Petitioner appeared in person and waived the right to counsel. Petitioner and Charles Lindquist, Indiana State Nurses Assistance Program, were sworn in as witnesses. After a hearing, ALJ Slagle recommended that the probationary status of Ms. Bewley's license be withdrawn.

**7. In the Matter of the License of: Jessica Bisping, L.P.N., License No. 27067491A**

Administrative Cause No. 2011 NB 321

Re: Request to Withdraw Probation

Deputy Attorney General Mark Mader appeared on behalf of the State of Indiana. Petitioner appeared in person and waived the right to counsel. Petitioner and Charles Lindquist, Indiana State Nurses Assistance Program, were sworn in as witnesses. After a hearing, ALJ Slagle recommended that the probationary status of Ms. Bisping's license be withdrawn.

**The following personal appearances took place on December 1, 2011 before Administrative Law Judges Jerry Burghduff, L.P.N. and Lynda Narwold, R.N.**

**: 1. Sabreen Abdullah-Mason**

Ms. Abdullah-Mason appeared regarding her application for renewal. She reported an OWI in November 2010. She is currently in a criminal diversion program until April 2012. She also reported a termination related to violations of attendance and call in policies. She has already been evaluated by ISNAP. ALJ Burghduff recommended renewing the license on probation for the duration of the criminal probation.

**2. Leslie Bailey**

Ms. Bailey appeared regarding her application for renewal. She reported an OWI in November 2010 and was on probation until November 25, 2011. She states that she no longer drinks and provided documentation of programs she is currently in. ALJ Burghduff recommended that the license be renewed upon completion of an ISNAP evaluation.

3. Michael Barcher

Mr. Barcher appeared regarding his application for renewal. He reported a pending litigation case with the Board related to alleged verbal abuse of a resident. He also reported the denial of a license to practice nursing in Arizona. He is also pending licensure status in Nevada. He also referenced prior charges involving drugs. ALJ Burghduff recommended the Indiana licensure matters be handled in the upcoming hearing on December 15, 2011 before the BON in Indiana.

4. William Barnebee

Mr. Barnebee appeared regarding his application for renewal. He reported a domestic disturbance involving his wife with two felony charges currently pending. ALJ Burghduff recommended that he obtain an MMPI-2 evaluation and that the license be renewed on indefinite probation may not lift for a minimum of one year or until the criminal charges are resolved, whichever is longer.

5. Tammy Bradford

Ms. Bradford appeared regarding her application for renewal. She reported a termination in 2011 due to absenteeism. She called in 8 times from February to April due to dental work. She also had a termination in 2009 due to not relating a DEA license in a timely manner. ALJ Burghduff recommended renewing the license free and clear.

6. Gregory Brubaker

Mr. Brubaker appeared regarding his application for renewal. He reported settlement of a lawsuit in April 2011 relating to allegations that a laceration he treated later became infected. ALJ Burghduff recommended renewing the license as valid to practice while being reviewed and referring the matter to the Office of the Attorney General for investigation.

7. Tara Colgan

Ms. Colgan appeared regarding her application for renewal. She reported a termination for falsifying documentation and actions outside of the scope of her practice. ALJ Burghduff recommended renewal of the license free and clear upon completion of 12 hours of continuing education in each of the following areas: documentation, ethics, and pharmacology for a total of 36 hours.

8. Maria Crutchfield requests to be seen at 1:00 p.m.

Ms. Crutchfield appeared with counsel regarding her application for renewal. She reported an arrest in October 2010 for carrying a handgun without a license. She did not realize there was a gun in her bag at the airport. She failed to renew a gun permit which had previously expired. The matter was resolved in May 2011 with a conviction for carrying a handgun without a license. ALJ Burghduff recommended that her license be renewed.

9. Traci Dayhoff

Ms. Dayhoff appeared regarding her application for renewal. She reported a written warning at work for posting on Facebook regarding a patient's funeral. ALJ Burghduff recommended renewing the license free and clear upon completion of 12 hours of continuing education in ethics and 12 hours of continuing education in HIPAA protocol.

10. Jill Dennet

Ms. Dennet appeared with counsel regarding her application for renewal. She reported a medication error regarding giving too much insulin. The patient did die as a result of this action. ALJ Burghduff recommended renewing the license as valid to practice while being reviewed and referring the matter to the Office of the Attorney General for investigation.

11. Angela Denney

Ms. Denney appeared with counsel regarding her application for renewal. She reported a termination for writing prescriptions for her son who was in a juvenile facility because she was too embarrassed to contact a physician. She reported completion of continuing education in ethics. ALJ Burghduff recommended renewing the license on probation for a minimum of six months with quarterly employer reports.

12. Ava Echols

Ms. Echols appeared regarding her application for renewal. She reported a termination for not reporting a bruise on a patient in a timely manner. ALJ Burghduff recommended renewing the license free and clear.

13. Bonita Edgeworth

Ms. Edgeworth appeared with counsel regarding her application for renewal. She reported a current litigation matter pending with the Office of the Attorney General. ALJ Burghduff recommended renewing the license as valid to practice while being reviewed and referring the matter back to the Office of the Attorney General.

14. Tina England

Ms. England appeared regarding her application for renewal. She reported signing another nurse's name to a medication record. She was charged and pled guilty to a felony. She is an ISNAP participant and is fully compliant at this time. ALJ Burghduff recommended renewing the license on probation for the length of the RMA and completion of continuing education in the following areas: 12 hours in ethics, 12 hours in documentation and 12 hours in pharmacology.

15. Celinda Fulling

Ms. Fulling appeared regarding her application for renewal. She reported a DUI in August 2010. She is currently on probation through December 2012. She had a prior DUI in 2005. She has not contacted ISNAP. ALJ Burghduff recommended that she must contact ISNAP and sign an RMA if eligible. ALJ Burghduff recommended that the license be

renewed on probation once the RMA is signed and that she may petition for withdrawal upon six months of full compliance in an RMA.

16. Tanya Garcia

Ms. Garcia appeared regarding her application for renewal. She reported a termination for acting indifferently towards others. She reported a verbal altercation with a patient over not taking medications. She received a written warning and was then terminated. She was previously terminated in 2009 for failing a drug screen. She successfully completed ISNAP in the past. ALJ Burghduff recommended renewing the license free and clear upon completion of 12 hours of continuing education in ethics, 12 hours of continuing education in dealing with difficult patients and 12 hours of continuing education regarding dealing with Alzheimer's patients.

17. Jodi Gouldy-Rake

Ms. Gouldy-Rake appeared regarding her application for renewal. She reported a termination due to suspected alcohol use at work. She is current participant in the KARE program and is preparing to enroll in ISNAP. ALJ Burghduff recommended renewing the license free and clear upon proof of successful enrollment in ISNAP.

18. Jennifer Graves

Ms. Graves appeared regarding her application for renewal. She reported that her license was reprimanded in Oklahoma for writing prescriptions without prescriptive authority. She has not completed the required education for APN licensure. ALJ Burghduff recommended renewing the license as Valid to Practice While Being Reviewed and referring the matter to the Office of the Attorney General for investigation.

19. Dennis Griggs

Mr. Griggs appeared regarding his application for renewal. He reported denial of a Nevada license that was not reported on this renewal. He also had a positive response in 2009 related to a malpractice issue in Illinois. ALJ Burghduff recommended renewing the license as Valid to Practice While Being Reviewed and referring the matter to the Office of the Attorney General for investigation.

20. Kristina Hagood

Ms. Hagood appeared regarding her application for renewal. She reported a pending domestic battery charge related to an altercation with her husband. She provided documentation of a pre-trial diversion program with anger management classes and a letter of support from her employer. ALJ Burghduff recommended renewing the license free and clear.

21. Danielle Hartig

Ms. Hartig appeared regarding her application for renewal. She reported an OWI in April 2011. She is currently on criminal probation. ALJ Burghduff recommended that she must contact ISNAP and sign an RMA if eligible. The license will be renewed on probation for the length of the criminal probation.

22. Kathleen Hull requests reschedule to Jan. ALJ  
This matter will be rescheduled one time only.

23. Jill Joslin

Ms. Joslin appeared regarding her application for renewal. She reported a termination in January 2010 for patient abuse for administering medication. She also reported a termination for not being up to standards. The patient abuse allegation was reported to ISDH. She also mentioned being accused of diversion at work. ALJ Burghduff recommended renewal of the license on probation, must have one year of active nursing practice, quarterly employer reports and continuing education in the following areas: 12 hours in ethics, 12 hours in pharmacology, and 12 hours in dealing with Alzheimer's/dementia patients.

24. Barbara Kovacs

Ms. Kovacs appeared regarding her application for renewal. She reported a suspension due to reporting to work under the influence and was terminated due to practice issues. She is currently an ISNAP participant. A patient died while under her care. ISNAP confirmed her current compliance status. ALJ Burghduff recommended renewing the license on probation for the length of the RMA with quarterly employer reports.

25. Nichole Krahenbuhl

Ms. Krahenbuhl appeared regarding her application for renewal. She reported a termination due to obtaining a prescription by fraud. She developed a dependence on pain medications and is currently an ISNAP participant. She is also currently on criminal probation. ALJ Burghduff recommended renewing the license on probation for the duration of the criminal probation.

26. Pamela Lamaster

The licensee failed to appear. The matter will be rescheduled one time.

27. Tracy Love-Walker continued to Jan. ALJ; additional docs provided

28. Lori Luebbehusen

Ms. Luebbehusen appeared regarding her application for renewal. She reported a DUI in March 2010. She successfully completed criminal probation. ALJ Burghduff recommended renewing the license free and clear once she obtains an ISNAP evaluation. She must enter into an RMA if required.

29. Jennifer Mahurin

Ms. Mahurin appeared regarding her application for renewal. She reported a termination due to leaving a job due to frustration over lack of training. She claims she resigned but the employer called it patient abandonment. She is currently working and reports no issues at her current place of employment. ALJ Burghduff recommended renewing the license on probation, must demonstrate one year of active nursing practice with quarterly employer reports, and obtain continuing education in the following areas: 12 hours in ethics, 12 hours in assessment, 12 hours in documentation and 12 hours in charting.

30. Faith Mills

Ms. Mills appeared regarding her application for renewal. She reported a termination in 2010 after arguing with a supervisor over putting in her notice. She also reported a termination in February 2011 for numerous write-ups. ALJ Burghduff recommended renewing the license free and clear.

31. Esther Monahan

Ms. Monahan appeared regarding her application for renewal. She reported a termination in October 2011 due to poor leadership qualities. She was also terminated in 2009 for not completing work in a timely manner. ALJ Burghduff recommended renewing the license free and clear.

32. Lori Moore

Ms. Moore appeared regarding her application for renewal. She reported an arrest for maintaining a common nuisance related to drug paraphernalia that was found in her daughter's room that belonged to her daughter's boyfriend. She is on criminal probation. ALJ Burghduff recommended renewing the license on probation for the length of the criminal probation.

33. Kimberly Pawlowski

Ms. Pawlowski appeared regarding her application for renewal. She reported two terminations due to tardiness and leaving medication out on a cart. She reported difficulty in transitioning from a hospital setting to a nursing home setting. She has been employed since March 2011. ALJ recommended renewing her license free and clear.

34. Carole Peck

Ms. Peck appeared with counsel regarding her application for renewal. She reported a termination from St. Vincent's due to increasing pain medication for a dying patient. She was not able to reach a physician prior to this increase. ALJ Burghduff recommended renewing the license free and clear.

35. Cheryl Penticuff

Ms. Penticuff appeared regarding her application for renewal. She reported a termination due to opening a patient's record that she had no reason to look at. She had to complete continuing education for her employer. ALJ Burghduff recommended renewing the license upon completion of 12 hours of continuing education in ethics and 12 hours of continuing education in HIPAA.

36. Rebecca Rice-Smucker

The licensee failed to appear she will be rescheduled one time.

37. Elizabeth Roach

Ms. Roach appeared regarding her application for renewal. She reported a pending litigation case with the Office of the Attorney General. She has been closed out of ISNAP. ALJ Burghduff recommended that her license be made Valid to Practice and the matter be resolved through the pending litigation process.

38. Deborah Schultz

Ms. Schultz appeared regarding her application for renewal. She reported a domestic issue that led to criminal charges. She vandalized her husband's boat and he called police. She had a confrontation with the police and admits that she had been drinking at that time. She admitted to a relapse from three years of sobriety and indicated she was a past ISNAP participant. She is currently on criminal probation. She was terminated from her employment. ALJ Burghduff recommended that her license be renewed on probation. Ms. Schultz became upset and stated the BON could have her license. She left the meeting but returned later, calmer to continue the discussion. She agreed to a probationary license for 6 months with an ISNAP evaluation and an MMPI-II assessment that addresses anger management and safety to practice.

39. Jason Taft

Mr. Taft appeared regarding his application for renewal. He reported an arrest for public intoxication that was pled down from a DUI. He also reported a DUI upon licensure and his license was issued free and clear at the time in November 2010. He is on criminal probation at this time. ALJ Burghduff recommended that the license be renewed on probation for the length of the criminal probation must have an ISNAP evaluation and enter into an RMA if eligible.

40. Jewel Troyer

Ms. Troyer appeared regarding her application for renewal. She reported a termination in May 2011 for medical errors related to giving blood too fast and for giving iron instead of colace. ALJ Burghduff recommended renewing the license free and clear.

41. Allison Wernke

Ms. Wernke appeared regarding her application for renewal. She reported an Operating a Vehicle While Intoxicated charge in August 2011. She has contacted the Indiana State Nurses Assistance Program and is in the process of completing her recovery monitoring agreement. ALJ Burghduff recommended renewing the license free and clear so long as she is in compliance with her recovery monitoring agreement.

42. Frances Jones

Ms. Jones did not appear as requested; her meeting will be rescheduled one time.

43. Jacqui Muez

Ms. Muez appeared regarding her application for renewal. She reported a termination due to opiate dependence and abuse. She recently entered into ISNAP. ALJ Burghduff recommended renewing free and clear with continued compliance with ISNAP.

44. Lisa Jacobs

Ms. Jacobs appeared with counsel regarding her application for renewal. She reported pending criminal charges for neglect of a dependent for her care of her twin daughters. ALJ Burghduff recommended renewing the license as valid to practice while being reviewed and to refer the matter to the Office of the Attorney General for investigation.

45. Colleen Daily

Ms. Daily appeared regarding her application for renewal. She reported a termination for falsification of blood slips and reporting vitals from a monitor rather than from patient care. She stated she should have completed charting as she saw patients rather than doing it later. ALJ Burghduff recommended renewal of the license upon completion of 12 hours of continuing education in documentation, 12 hours of continuing education in assessment and 12 hours of continuing education in medical ethics.

46. Laura Schafer

Ms. Schafer appeared regarding her application for renewal. She reported a termination in 2011 for not completing paperwork in a timely manner. She has been employed at another facility since April 2011 with no issues. She also had a termination in 2009 for failure to complete paperwork and failure to report an edema in a timely manner. ALJ Burghduff recommended that her license re renewed free and clear.

47. Janessa McKinley

Ms. McKinley appeared regarding her application for renewal. She reported a suspension for suspected diversion of narcotics. She resigned the job prior to termination. She is currently an ISNAP participant. She is currently facing felony criminal charges for this incident. ALJ Burghduff recommended that her license re renewed free and clear.

48. Melissa Hamilton

Ms. Hamilton appeared with counsel regarding her application for renewal. She reported a pending litigation matter with the Office of the Attorney General regarding a renewal fraud. Her counsel stated a settlement agreement has been reached. ALJ Burghduff recommended that her license be renewed pending the settlement agreement the AG's office will present to the BON on Dec. 15, 2011

49. Cris-Anne Palm

Ms. Palm appeared regarding her application for renewal. She reported an OWI in January 2011. She successfully completed ISNAP in September 2011. ALJ Burghduff recommended renewing the license free and clear.

50. Jennifer Williams

Ms. Williams appeared regarding her application for renewal. She reported an OWI and criminal charges remain pending at this time. She must contact ISNAP, obtain an evaluation and enter into an RMA if eligible. ALJ Burghduff recommended that the license be renewed on probation for the length of criminal probation or the length of the RMA, whichever is longer.

51. Michelle Scott

Ms. Scott appeared regarding her application for renewal. She reported a 2009 DUI that was pending on her last renewal but not reported at that time. She successfully completed criminal probation in December 2009. ALJ Burghduff recommended that the license be renewed free and clear upon contacting ISNAP, obtaining an evaluation and signing an RMA if eligible.

52. Tina Brickert

Ms. Brickert appeared regarding her application for renewal. She reported a malpractice suit that settled this year. She is a certified nurse midwife. According to Ms. Brickert, the facts of the lawsuit involved the death of a child after the mother refused antibiotics. The facts occurred nine years ago. ALJ Burghduff recommended renewing the license free and clear.

53. Judith Cottingham **CONTINUED UNTIL JANUARY 2012**

54. Coty McKean

Ms. McKean appeared regarding her application for renewal. She reported a DWI arrest in December 2009. She was also arrested for OWI in 2005 and indicates she reported that on her application for licensure. She is currently on criminal probation. ALJ Burghduff recommended renewing the license for the length of the criminal probation. She must contact ISNAP, obtain an evaluation and sign an RMA if eligible.

55. Richard Robinson (Rescheduled)

Mr. Robinson failed to appear regarding his application for renewal. ALJ Burghduff recommended denial.

56. Cinda Curless (Rescheduled)

Ms. Curless failed to appear regarding her application for renewal. ALJ Burghduff recommended denial.

57. Storey Gardner

Ms. Gardner appeared regarding her application for renewal. She reported a DUI in June 2011 one week after her nursing license was issued. She is currently on criminal probation and is an ISNAP participant. ALJ Burghduff recommended renewing the license free and clear so long as she remains compliant with ISNAP.

58. Michelle Golden

Ms. Golden appeared regarding her application for renewal. She reported an OWI in August 2011. She also had a prior arrest for OWI in 1997. She is currently on criminal probation and has not contacted ISNAP. ALJ Burghduff recommended that the license be renewed on probation for the length of criminal probation. She must contact ISNAP, obtain an evaluation and enter into an RMA if eligible.

59. Janelle Eanes (Rescheduled)

Ms. Eanes appeared with counsel regarding her application for renewal. She reported a termination due to a HIPAA violation for leaving a chart open on a high profile patient that someone else looked at. She was terminated due to facility policy. ALJ Burghduff recommended that the license be renewed upon completion of 12 hours of continuing education in medical ethics and 12 hours of continuing education in HIPAA.

60. Sara Tuvell

Ms. Tuvell appeared regarding her application for renewal. She reported an OWI in March 2011. She is currently on criminal probation. ALJ Burghduff recommended that she must contact ISNAP for an evaluation and sign an RMA if eligible. The license will be renewed free and clear.

61. DeShone Jones-Polk

The applicant failed to appear regarding her application for renewal. ALJ Burghduff recommended that the matter will be referred to the Office of the Attorney General for investigation and the license will be valid to practice while being reviewed.

62. Jacob Ross

Mr. Ross appeared regarding his application for renewal. He reported an OWI in August 2010. He is not on criminal probation at this time. ALJ Burghduff recommended that the license be renewed free and clear upon evaluation by ISNAP. The licensee must sign an RMA if eligible.

63. Pamela Rutledge

Ms. Rutledge appeared regarding her application for renewal. She reported a January 2011 OWI. ISNAP reported that she is in significant non-compliance with her RMA. ALJ Burghduff recommended that the license be renewed on probation for the duration of the RMA. The applicant was told that failure to comply with the RMA will result in closure of the ISNAP file and an Order to Show Cause hearing.

64. Shay Williams

The applicant will be renewed pursuant to the terms of the settlement agreement filed with the Board on November 28, 2011.

65. Dawn Ericksen-Clark

Ms. Ericksen-Clark appeared regarding her application for renewal. She reported a May 2010 OWI conviction. ALJ Burghduff recommended that she contact ISNAP and enter into an RMA if eligible. The license will be renewed upon verification she has completed the ISNAP evaluation.

66. Dana Hurt **RESCHEDULE TO 12/15 AT 8:30 A.M.**

**The matter will be rescheduled one time.**

67. Amy Bass

Ms. Bass appeared regarding her application for renewal. She reported a termination due to a violation of a hospital's social networking policies regarding patient information. ALJ Burghduff recommended that the license be renewed upon completion of 12 hours of continuing education in ethics and 12 hours of continuing education in HIPAA.

68. Sherri Fugit

Ms. Fugit appeared with counsel regarding her application for renewal. She reported several write-ups and a termination occurring between December 2009 and August 2011. ALJ Burghduff recommended renewing the license with completion of continuing education and quarterly employer reports or self reports if not employed. CEs are to be 6 in communication/interpersonal relationships, 6 in documentation, 6 in assessment, and 6 in pharmacology and are to be done with 90 days.

69. Kathleen Cavanaugh

Ms. Cavanaugh appeared regarding her application for renewal. She reported an October 2010 OWI conviction. She contacted ISNAP but did not meet criteria for monitoring. She successfully completed her criminal probation six months early. ALJ Burghduff recommended that the license be renewed free and clear.

70. Cynthia Julian

Ms. Julian appeared regarding a positive response on her renewal. She reported an arrest for DUI in June 2011 and her criminal charges remain pending. ALJ Narwold recommended that she obtain an evaluation from ISNAP and sign an RMA if eligible. ALJ Narwold recommended that the license be renewed on probation until criminal charges are resolved (including criminal probation, if sentenced) or the length of the RMA whichever is longer.

71. Elizabeth Main

Ms. Main appeared regarding a positive response on her renewal. She was working as a temporary RN at Select Specialty Hospital and was accused of diversion of Fentanyl. ALJ Narwold recommended renewing the license as valid to practice while under review and referring the matter to the Office of the Attorney General for investigation.

72. Rebecca Davis

Ms. Davis appeared regarding a positive response on her renewal. She reported a suspension from work regarding charting medications and responses from a patient. She was required to take a urine drug screen and tested positive for Lortab which was not prescribed to her. She explained that she took Lortab from her another family member to treat a migraine. She was evaluated at The Morton Center in Louisville, Kentucky. She is currently required to take random urine drug screens for the next year. ALJ Narwold recommended that she be renewed as valid to practice while being reviewed and referred to the Office of the Attorney General for investigation.

73. Kent Simpson

Mr. Simpson appeared with counsel regarding his application for renewal. He reported a patient in his care was seriously injured. He indicates that the staff he supervised did not provide proper care. He resigned from the facility. ALJ Burghduff recommended renewing the license as valid to practice and referring the matter to the Office of the Attorney General for investigation.

74. Lindsey Love

Ms. Love appeared regarding a positive response on her renewal. She reported an OWI in November 2010. She was convicted in March 2011. She is currently on criminal probation. ALJ Narwold recommended renewing her license on probation for the length of the criminal probation.

75. Isaac Hamed (rescheduled from 11/17)

He did not appear as rescheduled and ALJ Burghduff recommended denying his renewal.

76. Deanna Roberts (rescheduled from 11/17)

Ms. Roberts appeared with counsel regarding her application for renewal. She reported a DUI in 2009. She is a participant in ISNAP and ISNAP indicated that she is fully compliant at this time. ALJ Burghduff recommended renewing the license so long as she remains compliant in ISNAP.

77. Steven Allen Vanderstelt (rescheduled from 11/17)

Mr. Vanderstelt appeared regarding his application for renewal. He reported an OWI conviction in September 2011 resulting in an accident. He is on criminal probation at this time. He is an ISNAP participant. ALJ Burghduff recommended that the license be renewed free and clear with ISNAP compliance.

78. Diana Williams (rescheduled from 11/17).

She did not appear as rescheduled and her meeting will be rescheduled one time.

79. Macy Louthain (rescheduled from 11/17)

She did not appear as rescheduled and her meeting will be rescheduled one time.

80. Teresa Litherland (rescheduled from 11/17)

Ms. Litherland appeared regarding a positive response on her renewal. She reported a termination due to personality differences with her administrator. She had a similar termination in 2009. She is currently working as an MDS coordinator and not a DON. ALJ Narwold recommended that the license be renewed free and clear.

81. Dawn Jones (Endorsement)- Positive Response

Ms. Jones appeared regarding a positive response on her application for licensure by endorsement. Her Illinois license was reprimanded. She was terminated for diversion of narcotics and inappropriate nursing actions. She believes this was



due to a change in management at the facility she was working at. She received a letter of reprimand from Illinois and completed continuing education in documentation. ALJ Narwold recommended that her license be issued free and clear.

82. Tanesha Morris (Examination)- Positive Response

Ms. Morris appeared regarding a positive response on her application for licensure by examination. She reported criminal charges for criminal mischief and resisting law enforcement as a young adult. The original criminal mischief was for cutting the tires on someone's car. In the resisting law enforcement charge, she followed her boyfriend's car during an argument but had a suspended license at the time due to traffic tickets. She kept driving and did not pull over when law enforcement attempted to pull her over. She successfully completed house arrest and criminal probation. ALJ Narwold recommended that she be allowed sit for the NCLEX and that her license be issued free and clear.

83. Joseph Kougias (Examination)- Positive Response

The applicant appeared in person regarding a positive response on his application for licensure by examination. He reported a criminal history with multiple DUI's and possession of drug paraphernalia as a young adult. He provided a detailed explanation of his childhood and family situation growing up. He has worked as a CNA for 11/2 years. ALJ Narwold recommended an ISNAP evaluation and must sign an RMA if eligible. He will be allowed to test. He will be issued on probation for the length of the RMA if he qualifies, if not his license will be issued free and clear.

84. Christina Smith (Examination)- Positive Response

Ms. Smith appeared regarding a positive response on her application for licensure by examination. She reported a DUI in May 2009. She successfully completed criminal probation. ALJ Narwold recommended that she be allowed to sit for the NCLEX and that she be issued free and clear.

85. Sara Davis (Examination)-Graduated 2003

The applicant failed to appear. Her meeting has been rescheduled for Dec. 15, 2011.

86. Sean O'Rourke (Examination)-Graduated 2007/three time examination attempts

The applicant appeared in person regarding his application for RN licensure by examination. He has failed the examination three times and reported a DUI in 2001. ALJ Burghduff recommended that he take a comprehensive review course and obtain documentation of 95% probability of successfully passing the NCLEX before being allowed to test.

87. Kathleen Radloff (rescheduled from 11/17) wants license to be inactive

The applicant failed to appear. ALJ Narwold recommended that the license be denied.

88. Brittni Cain (rescheduled from 11/17)

Ms. Cain appeared regarding her application for renewal. She reported a termination due to failure to follow company policy. She took care of a patient in her home without notifying her employer who was a home health agency. ALJ Narwold recommended renewing the license as valid to practice while being reviewed and referring the matter to the Office of the Attorney General for investigation.

89. Robb Shipley (rescheduled from 11/17) requests reschedule to Dec. 15

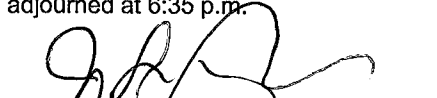
The matter will be rescheduled one time to December 15<sup>th</sup>.

90. Earlene Swaim (rescheduled from 11/17) requests reschedule due to health

The matter will be rescheduled one additional time to January 2012.

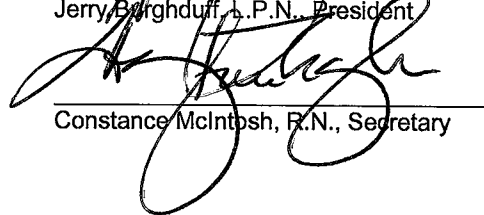
XIII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Nursing adjourned at 6:35 p.m.

  
Jerry Burghduff, L.P.N., President

Date

1-19-12

  
Constance McIntosh, R.N., Secretary

Date

1-19-2012