

INDIANA STATE BOARD OF NURSING

Met on
Thursday, January 19, 2012
at 8:30 a.m.
in the L.A. Pittenger Student Center,
Cardinal Hall, Second Floor,
Ball State University
2000 W. University Ave.
Muncie, IN 47306

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
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
Gordon White, Nursing Board Advisory Counsel, Office of the Attorney General

Special Note: Thank you to Ball State University and its staff for an excellent job in hosting the Board of Nursing's meeting on January 19, 2012.

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda as amended. Burghduff/Ogle 6-0-0, motion carries

III. ADOPTION OF THE MIN/UTES FROM THE DECEMBER 15, 2011 MEETING OF THE BOARD

A motion was made and seconded to adopt the December 15, 2011 nursing board minutes. McIntosh/Ogle, 6-0-0, motion carries

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM

Chuck Lindquist addressed the Board and the audience. ISNAP is moving into phase two of its transition to electronic records. The Board received a copy of an article written by a nurse regarding administering controlled substances to nurses. ISNAP will give a demonstration of the capabilities of their new electronic record keeping system to the Board in February or April 2012. Ms. Ogle asked questions regarding ISNAP financials and indicated to Ernest Klein, Director of ISNAP that she would submit the questions in writing and that answers will be expected for discussion at the February 2012 Board meeting.

V. EDUCATION

- A. FYI ONLY- Indiana University Northwest- Dr. Linda Rooda leaving the Dean role effective 12/31/ 11; new Director is Dr. Linda Delunas effective 1/1/12.
- B. FYI ONLY – Complaint from Shaun Wheeler, parent of Indiana State University nursing student

VI. DISCUSSION

A. OAG Quarterly Report- Gabrielle Owens (or designee), Office of the Attorney General

The OAG report was given by David Fleischhacker, Deputy Attorney General. Mr. Burghduff requested that Gabrielle Owens appear before the full Board of Nursing on February 16, 2012 to discuss the Board's request for reinstating informal board meetings and a response to the memo send to the Office of the Attorney General.

B. Experience for Clinical Preceptors

Board Members McIntosh, Laux and Narwold indicated that in a previous Education Subcommittee meeting held in prior years, that the recommendation of the subcommittee was to change the requirement for experience for clinical preceptors from three years to two years. The Board indicated that this recommendation should incorporated into the Education Rules Subcommittee Recommendations.

C. Nursing Board Alumni Database/Meeting

Mr. Burghduff requested a possible meeting of alumni to assess the potential for alumni to potentially complete work on behalf of the Board. Ms. Narwold indicated she would be willing to assist in putting together an invite list. Ms. Crawford indicated she would contact the National Council of State Boards of Nursing to determine whether they would be able to fund a dinner or luncheon.

D. Review of Annual Reports for Nursing Programs for 2012

Ms. Ogle indicated she is willing to rework the annual report to make it more user friendly and to allow for manipulation of the fields for Board reporting purposes. Board members are to send their changes directly to Ms. Ogle via email.

E. Education Rules Subcommittee Recommendations

A motion was made and seconded to adopt the education rules subcommittee recommendations with the additional of the decrease in experience for clinical preceptors.

F. Election of Officers for 2012

A motion was made and seconded to elect Constance McIntosh as President of the Indiana State Board of Nursing. Laux/Ogle 6-0-0, motion carries A motion was made and seconded to elect Marcia Laux as Vice President of the Indiana State Board of Nursing Narwold/Ogle 6-0-0, motion carries A motion was made and seconded to elect Karen Dolk as Secretary of the Indiana State Board of Nursing McIntosh/Laux 6-0-0, motion carries

G. FYI Only- NCSBN Mid-year Meeting Chicago, Illinois March 12-14, 2012

VII. BOARD DIRECTOR REPORT

Ms. Crawford reported that Lisa Chapman has moved into the second compliance officer role starting this month. The Board staff continues to look for greater efficiencies and this month began answering phones from 8:00 a.m. to noon only so that staff can focus on getting applications processed. Ms. Crawford is in contact with the Philippine Nurses Association to complete a presentation regarding the Board's CGFNS requirements.

VIII. PERSONAL APPEARANCES

8:45 a.m.

Board Action: A motion was made and seconded to accept the Administrative Law Judge recommendations. Burghduff/McIntosh, 7-0-0, motion carries

1. Abraham Kabbany

Mr. Kabbany's personal appearance meeting will be rescheduled.

2. Brooke C. Rogers

Ms. Rogers appeared regarding her application for RN licensure by examination. She reported 7 exam failures since completing nursing school in 2008. She is currently an LPN. She states she has text anxiety and has taken the Hurst and Kaplan review course along with working with a tutor. The ALJ recommended that she be allowed to test one more time.

3. Chandra Kimble

Ms. Kimble did not appear regarding her application for LPN licensure by examination. She reported 5 exam failures since completing school in 2007. The ALJ recommended her application be denied.

4. Tamatha Kirby

Ms. Kirby's personal appearance meeting is rescheduled to the February 16, 2012 meeting.

5. Paige Ashley Lents

Ms. Lents appeared regarding her application for RN licensure by examination. She reported 4 exam failures since completing school in 2010. She showed proof from Kaplan that she has 95% or higher probability of passing and the ALJ recommended that she be allowed to test.

6. Ann L. Moore

Ms. Moore appeared regarding her application for RN licensure by examination. There was a CBC hit and she gave a positive response to #4B on the application. She reported theft and check deception charges in 1986 and no other recent arrests; the matters have been resolved. The ALJ recommended that she be allowed to test.

7. Nicole Delane Conrad

Ms. Conrad appeared regarding her application for RN licensure by examination. There was a CBC hit but she answered all questions on the application "no". She has a previous exam failure and has given no positive responses on that application. She reports an arrest in 1990 for disorderly conduct following a verbal argument outside a club. The ALJ recommended allowing her to test and a probationary license be issued for 6 months with quarterly reports from her employer.

8. Brianne Kisley

Ms. Kisley appeared regarding her application for RN licensure by endorsement. The meeting was rescheduled from 1/5/12. Her Ohio license is on Probation and she gave a positive response #4B and #1. She stated her OH license is on probation until Sept. 2012 due to an alcohol-related arrest. The ALJ recommended denying her license application and she may reapply when her OH license is free and clear.

9. Isaac Hamed

Mr. Hamed appeared regarding the positive response on his RN renewal. His renewal was denied Dec. 2011 because he did not appear as requested. He stated this was because his address had changed. He reported a DUI in 2010 and he is enrolled in ISNAP. The ALJ recommended that his license be renewed on probation for 6 months which is the length of the current RMA.

10. Tracy Pecina

Ms. Pecina appeared before the ALJ on 11/3/11 regarding a positive response. She was to return to the BON for this personal appearance following an evaluation by ISNAP. She states she is on morphine for pain and ISNAP is an abstinence based program. She also has a tax hold that has stopped her renewal. The ALJ recommended denying her renewal.

11. Kasey Winkle

Ms. Winkle reported an OWI in 2010 on her RN renewal. She stated she was reacting to grief and her BAC was .09. She is currently employed and is on probation until June 2012. The ALJ recommended she have an ISNAP evaluation and that her license be renewed on probation for the length of her criminal probation or ISNAP RMA, whichever is longer.

12. Deborah Skaggs

Her personal appearance has been rescheduled to Feb. 16; her license is expired.

13. Shannon Heiska

Ms. Heiska appeared regarding the positive response on her RN renewal. She is not currently working and is in the ISNAP program due to diversion in 2010. She reported she relapsed in 2011. She has an RMA for 3 years. The ALJ recommended renewing her license on probation for the length of her RMA.

Theresa Judy

Ms. Judy appeared regarding the positive response on her RN renewal. She reported DUIs in 2006 and 2010 with a BAC of .09. She is on probation until 2/19/12. She states she has a cardiac condition that contributed to her problems. The ALJ recommended she have an ISNAP evaluation and her license be renewed on probation with quarterly reports for the length of her criminal probation or the RMA, whichever is longer.

14. Kimberly Goodrich

Ms. Goodrich appeared with counsel regarding the positive response on her renewal. She reported a 2008 charge of reckless driving not reported until this renewal. The charge was due to an alcohol related DUI reduced to reckless driving. She answered no on her 2009 and 2011 renewals. She provided documentation from her counselor. The ALJ recommended renewing her license.

15. Dawn Schlenz

Ms. Schlenz appeared regarding the positive response on her renewal. She reported a 2011 termination from a home care agency. She states she was downsized in 2009. She stated the 2011 termination was due to documentation and she feels

the employer was potentially fraudulent in its practices. She is currently working for another employer. The ALJ recommended renewing her license.

16. Lynette Zvandasara

Ms. Zvandasara did not appear regarding the positive response on her RN renewal. The ALJ recommended denying her renewal.

17. Tiffany Morrison

Ms. Morrison's personal appearance has been rescheduled for Feb. 16. The license is expired.

18. Tammy Hoagland

Ms. Hoagland appeared regarding the positive response on her RN renewal. She reported a termination in April 2011 and a July 2011 arrest for prescription fraud and possession of a controlled substance. She is currently in ISNAP as of Sept. 2011 and ISNAP confirms she is fully compliant. The ALJ recommended renewing her license on probation for the length of her RMA.

19. Marci Fawks

Ms. Fawks appeared regarding the positive response on her RN renewal. She reported a termination due to documentation issues and an arrest in Sept. 2011 due to her husband's possession of meth making supplies at their home in which their children were present. She self-reported to a drug treatment program. The felony was reduced to a misdemeanor and she is on probation until Feb. 2012. She is not currently involved in ISNAP. The ALJ recommended an ISNAP evaluation and a probationary license for three years with quarterly supervisor reports.

20. Melissa Boller Douglas

Ms. Douglas appeared regarding the positive response on her RN renewal. She reported an arrest in Aug. 2011 for domestic battery and resisting arrest. She stated she had been drinking at the time but does not usually consume alcohol. She states she has three children and is on a pre-trial diversion program for the pending charges. The ALJ recommended renewing her license on probation for 6 months and the completion of the evaluations specified by her pre-trial diversion program. Those evaluations are a substance abuse assessment, anger management, and her counseling and treatment.

21. Tami Morfey

Ms. Morfey appeared regarding the positive response on her RN renewal. She reported an OWI in October 2011. She also reported being in possession of unwashed narcotics from her employer at the time of her arrest. She was suspended from work due to the incident and has contacted the ISNAP program. The BON recommended renewing her license on probation for one year for the length of the RMA.

22. Deana Jordan

Ms. Jordan appeared regarding the positive response on her RN renewal. She reported a termination from work following a class B felony for aiding or inducing a burglary due to domestic issues with her son and his girlfriend. She stated the charges were later dropped. The ALJ recommended renewing her license.

23. Kenneth Zatalokin

Mr. Zatalokin appeared regarding the positive response on his RN renewal. He reported a misdemeanor for leaving the scene of a non-injury accident in July 2010. He was on probation for 6 months and reports the matter has been resolved. The ALJ recommended renewing his license.

24. Michelle Schilling

Ms. Schilling appeared regarding the positive response on her RN renewal. She reported an Oct. 2011 conviction for disorderly conduct and resisting arrest. She was terminated in May 2011 for possession of alcohol at work. She reported an assault charge in April 2011 in AZ She stated she contacted ISNAP but did not follow through due to financial difficulties. She reported her AZ nursing license is suspended. She admits to having alcohol dependence. The ALJ recommended that her personal appearance be continued until the full board meeting on Feb. 16.

25. Angela Tubbs

Ms. Tubbs appeared regarding the positive response on her RN renewal. She reported a May 2010 DUI and a first one in Nov. 2006 with a BAC of .19. She is on probation until 5/31/12. She states she is currently working in supply chain management. The ALJ recommended she have an ISNAP evaluation and her license be renewed on probation for the length of her criminal probation or length of the RMA whichever is longer.

26. Megan Whitfield

Ms. Whitfield appeared regarding the positive response on her RN renewal. She reported a HIPAA violation for checking on the status of a patient readmitted for whom she had previously provided care. She had no active consult to check on the patient. She provided documentation of support. The ALJ recommended renewing her license.

27. Dena Edwards

Ms. Edwards appeared regarding the positive response on her RN renewal. She reported a consumer complaint regarding drug diversion charges is pending with the AG's office. Her license expired 11/1/11. The ALJ recommended denying her renewal and referring the matter to the AG's office.

28. Kristen Kovacinski

Ms. Kovacinski appeared regarding the positive response on her RN renewal. She reported a DUI in Sept. 2011 but answered no all questions on the renewal. She is on probation and is in the ISNAP program. The ALJ recommended renewing her license on probation for the length of her RMA.

29. Jayison McCorkle

Mr. McCorkle did not appear regarding the positive response on his renewal. He first reported being pulled over for reckless driving. When asked for more details, he later reported he was pulled over after he had been drinking. He stated he could not attend the personal appearance meeting but could provide more information if needed. The ALJ recommended denying his renewal.

30. Peggy Collins

Ms. Collins appeared regarding the positive response on her renewal. She reported a termination in March 2010 for her LPN renewal dated 10/7/10. She reported 4 issues that led to the termination that all dealt with her attitude. She reported she is in counseling for anger and depression. She stated she has a problem working in long term care. The ALJ recommended renewing her license on probation for 6 months with CEs as follows: 6 in customer service and 6 in professional behavior, along with 2 quarterly employer reports and continue with her counseling.

31. Norma Spaulding

Ms. Spaulding's personal appearance is rescheduled to Feb. 16; the license is expired.

32. Lois Ann Vogel

Ms. Vogel appeared regarding the positive response on her RN renewal. She reported a termination June 2010 for using someone's login ID and password to access information because the hours to get her access were inconvenient for her. She was substituting as a clinical instructor at Ivy Tech. Her employment status was put on probation for 1 year and she later resigned. She reported the person who gave her unauthorized access was terminated. The ALJ recommended renewing her license on probation for 6 months with 6 CEs in professionalism and 6 CEs in ethics.

33. Shari Stratton

Ms. Stratton appeared regarding the positive response on her RN renewal. She reported 2 DUIs in Nov. 2010 and March 2011 with .12 and .24 BACs. She has a three year RMA with ISNAP through 2015. She has two years probation and IOP program and is on house arrest. The ALJ recommended renewing her license on probation for the length of the RMA.

34. Elizabeth Sciscoe

Ms. Sciscoe's personal appearance meeting will be rescheduled.

35. June Eller

Ms. Eller appeared regarding the positive response on her RN renewal. She reported a termination in Sept. 2011 due to documentation issues. She stated she had difficulty adapting to a new computerized system. She is seeking another position more related to skilled care. The ALJ recommended renewing her license on probation for 6 months and she must complete 6 CEs in electronic charting.

36. Lindsey Zander

Ms. Zander appeared regarding the positive response on her RN renewal. She stated she was disciplined at work for a HIPAA violation in July 2011. She accessed her boyfriend's BAC levels in an effort to help him with his treatment for alcoholism. She received a two day suspension. The ALJ recommended renewing her license on probation for 6 months with 2 quarterly reports and proof of completion of HIPAA training.

37. Rebecca Laffoon

Ms. Laffoon did not appear as requested to explain the positive response on her RN renewal. The ALJ recommended denying her renewal.

38. Kari Drinnon

Ms. Drinnon appeared regarding the positive response on her RN renewal. She reported a termination in Aug. 2010 for poor work performance and a termination in June 2011 for a positive drug screen for two substances. She stated she had a prescription for one of the substances and she denies having the other one in her system. She is in ISNAP and the RMA was extended due to non-compliance. It is currently for 15 months. The ALJ recommended renewing her license on probation for the length of the RMA.

39. Kathleen Dull

Ms. Dull's personal appearance has been rescheduled to Feb. 16; the license is expired.

40. Amanda Foster

Ms. Foster appeared regarding the positive response on her RN renewal. She reported a DUI in Feb. 2010 and a termination in July 2011 for hearsay about her negative attitude. She completed probation in May 2011. ISNAP reported she did not successfully complete monitoring due to money issues. ISNAP closed her file and reported the matter to the AG's office. The ALJ recommended denying her renewal.

41. Michelle Barnhart

Ms. Barnhart appeared because there is a pending matter with the AG's office that has kept her license from renewing. She stated she feels this is due to an old issue regarding a pending lawsuit when she was in the Air Force. The ALJ recommended denying her renewal.

42. Peggy Gregory

Ms. Gregory appeared with counsel regarding the positive response on her renewal. Her meeting was rescheduled from Dec. 15 & January 5 and her license is on ES. The BON voted to renew her license on suspension.

43. Beverly Lowther

Ms. Lowther appeared regarding renewal of her RN license after it was discovered she did not provide a valid social security number on her application in 2009; rather, she provided a nine-digit student visa number and it was erroneously accepted as SS #. The statutes state that a social security number must be provided. The BON voted to deny her renewal and recommended that she contact personnel at the social security office for assistance in obtaining the SS#. BON approved 7-0-0.

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: Alicia Marie Berg, L.P.N., License No. 27062317A

Administrative Cause No. 2008 NB 125

Re: Order to Show Cause

Parties and Counsel Present:

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

Joshua Timmons, Certified Legal Intern, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), McIntosh, Narwold, Presley, Ogle

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. McIntosh/Ogle 5-0-0, motion carries

B. State of Indiana V. Jennifer Weflen, R.N., License No. 28133746A

Administrative Cause No. 2002 NB 0082

Re: Order to Show Cause

Parties and Counsel Present:

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

Joshua Timmons, Certified Legal Intern, on behalf of the State of Indiana

Witnesses Present:

Charles Lindquist, Indiana State Nurses Assistance Program ("ISNAP")

Participating Board Members:

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

Board Action:

A hearing was held regarding the Order to Show Cause issued by the Board. After a hearing, a motion was made and seconded to place the Respondent's license on indefinite suspension. Respondent may not apply for reinstatement until

demonstration of six months full compliance in a Recovery Monitoring Agreement ("RMA") and costs. Burghduff/McIntosh, 5-0-0, motion carries.

C. In the Matter of the License of: Carol Kent, R.N., License No. 28168827A

CONTINUED

Administrative Cause No. 2011 NB 256
Re: Disciplinary Hearing

D. In the Matter of the License of: Sara Moehring, L.P.N., License No. 27060299A

Administrative Cause No. 2010 NB 298
Re: Request to Withdraw Probation

Parties and Counsel Present:

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

Witnesses Present:

Charles Lindquist, Indiana State Nurses Assistance Program ("ISNAP")

Participating Board Members:

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

Board Action:

A hearing was held regarding the Respondent's request to withdraw probation. After a hearing, a motion was made and seconded to withdraw the probation against Respondent's license. Burghduff/McIntosh, 5-0-0, motion carries

E. In the Matter of the License of: Julie Clark, R.N., License No. 28137814A

Administrative Cause No. 2011 NB 280
Re: Final Disciplinary Hearing

Parties and Counsel Present:

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

Witnesses Present:

Charles Lindquist, Indiana State Nurses Assistance Program ("ISNAP")

Participating Board Members:

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

Board Action:

A hearing was held in this matter. A motion was made and seconded to place Respondent's license on indefinite suspension. Respondent may not apply for reinstatement until she has a minimum of one year of compliance in an ISNAP RMA, a \$250 fine and costs. Ogle/McIntosh 5-0-1 (Narwold abstains)

F. In the Matter of the License of: Debra Lyn Robertson, R.N., License No. 28097726A

Administrative Cause No. 2006 NB 0162
Re: Request to Reinstate

Parties and Counsel Present:

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

Witnesses Present:

Charles Lindquist, Indiana State Nurses Assistance Program ("ISNAP")

Participating Board Members:

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

Board Action:

A hearing was held in this matter. A motion was made and seconded to deny Respondent's request to reinstate her license. Burghduff/Presley 5-0-0, motion carries

G. In the Matter of the License of: Daniel Sturgis, R.N., License No. 28198478A

Administrative Cause No. 2011 NB 226
Re: Request to Withdraw Probation

Parties and Counsel Present:

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

Witnesses Present:

Charles Lindquist, Indiana State Nurses Assistance Program ("ISNAP")

Participating Board Members:

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

Board Action:

A hearing was held in this matter. A motion was made and seconded to withdraw the probation. Narwold/Ogle 6-0-0, motion carries

H. In the Matter of the License of: Thomas Schultheis, R.N., License No. 28127628A

Administrative Cause No. 2011 NB 212

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), Dolk, Ogle, McIntosh, Presley

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 agreement. McIntosh/Ogle, 5-0-0, motion carries

I. In the Matter of the License of: Andy Coburn, R.N., License No. 28163942A

Administrative Cause No. 2011 NB 398

Re: Motion to Dismiss

Parties and Counsel Present:

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

Participating Board Members:

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

Board Action:

The State filed a motion to dismiss based on the death of the Respondent. A motion was made and seconded to dismiss the cause of action. Burghduff/McIntosh, 5-0-0, motion carries

J. In the Matter of the License of: Martha Uebelhoer, R.N., License No. 28105421A

Administrative Cause No. 2012 NB 001

Re: Petition for Review of Decision on License Renewal

Parties and Counsel Present:

James Whitlach, Counsel for Respondent

Respondent

Participating Board Members:

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

Board Action:

A hearing was held regarding Respondent's petition for review of the denial of renewal for her Registered Nurse license. After a hearing, a motion was made and seconded to renew the license free and clear and refer the matter to the Office of the Attorney General for investigation. McIntosh/Narwold, 6-0-0, motion carries

K. In the Matter of the License of: Jennifer Moore, R.N., License No. 28156465A

Administrative Cause No. 2011 NB 455

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), Dolk, Ogle, McIntosh, 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/McIntosh, 5-0-0, motion carries

L. In the Matter of the License of: Kristina Renner, R.N., License No. 28145097A

Administrative Cause No. 2011 NB 353

Re: Petition for Extension of Summary Suspension

Parties and Counsel Present:

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

Participating Board Members:

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

Board Action:

Ms. Renner failed to appear. The State requested an extension of the summary suspension in this matter. A motion was made and seconded to extend the summary suspension an additional ninety days. Burghduff/Dolk, 7-0-0, motion carries

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

Administrative Cause No. 2011 NB 350

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), Dolk, Ogle, McIntosh, Presley, 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/Dolk, 5-1-1, motion carries (Ogle against, Narwold recused)

N. In the Matter of the License of: Constance Crawford, L.P.N., License No. 27057692A

Administrative Cause No. 2011 NB 346

Re: 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), Dolk, Ogle, McIntosh, Presley, Narwold, 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/Laux, 6-0-1, motion carries (Narwold abstains)

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

Administrative Cause No. 2011 NB 394

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), Dolk, Ogle, McIntosh, Presley, Narwold, 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. McIntosh/Burghduff, 7-0-0, motion carries

P. In the Matter of the License of: Charles Anthony Kirby, R.N., License No. 28162899A CONTINUED

Administrative Cause No. 2011 NB 486

Final Disciplinary Hearing

Q. In the Matter of the License of: Esperanza Valdez, L.P.N., License No. 27066073A CONTINUED

Administrative Cause No. 2011 NB 265

Re: Final Disciplinary Hearing

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

Administrative Cause No. 2011 NB 329

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), Dolk, Ogle, McIntosh, Presley, Narwold, Laux

Board Action:

Respondent failed to appear and the State requested a Notice of Proposed Default. A motion was made and seconded to issue a notice of proposed default. Narwold/Burghduff, 7-0-0, motion carries The State 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. Narwold/Burghduff, 7-0-0, motion carries

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

Administrative Cause No. 2011 NB 376

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), Dolk, Ogle, McIntosh, 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/McIntosh, 6-0-0, motion carries

T. In the Matter of the License of: Peggy Holland, R.N., License No. 28136443A

Administrative Cause No. 2012 NB 011

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, McIntosh, Presley, Laux, Ogle

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 6-0-0, motion carries

U. In the Matter of the License of: Pearl Halverson, R.N., License No. 28126888A

Administrative Cause No. 2012 NB 010

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, McIntosh, Presley, Laux, Ogle

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/McIntosh 6-0-0, motion carries

V. In the Matter of the License of: Alison Taylor, R.N., License No. 28175068A

Administrative Cause No. 2011 NB 282

Re: Petition for Summary Suspension

Parties and Counsel Present:

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

Witnesses Present:

Chuck Lindquist, ISNAP

Participating Board Members:

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

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/Ogle 6-0-0, motion carries

W. In the Matter of the License of: Lori Jane Gottfried, R.N., License No. 28140820A

Administrative Cause No. 2011 NB 404

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), Dolk, Ogle, McIntosh, 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/McIntosh, 6-0-0, motion carries

X. In the Matter of the License of: Mirisa Jones, L.P.N., License No. 27058582A

Administrative Cause No. 2011 NB 414

Re: Notice of Dismissal of Complaint

Parties and Counsel Present:

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

Participating Board Members:

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

Board Action:

The State filed a motion to dismiss based on the death of the Respondent. A motion was made and seconded to dismiss the cause of action. Burghduff/McIntosh, 5-0-0, motion carries

Y. In the Matter of the License of: Holly Nichole Shamley, L.P.N., License No. 27055669A

Administrative Cause No. 2011 NB 402

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), Dolk, Ogle, McIntosh, 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/McIntosh, 6-0-0, motion carries

Z. In the Matter of the License of: Susan Johnson, L.P.N., License No. 27031275A

Administrative Cause No. 2012 NB 033

Re: Petition for Summary Suspension

Parties and Counsel Present:

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

Participating Board Members:

Burghduff (Hearing Officer), Dolk, McIntosh, Presley, 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. Narwold/Burghduff 6-0-0, motion carries

X. PREHEARING SETTLEMENT CONFERENCES

A. In the Matter of the License of: Thomas B. Fowler, R.N., License No. 28182064A

Administrative Cause No. 2011 NB 452

Re: Prehearing Settlement Conference

B. In the Matter of the License of: Misty Dawn Truitt, R.N., License No. 28145958A

Administrative Cause No. 2011 NB 409

Re: Prehearing Settlement Conference

C. Vacated

D. In the Matter of the License of: Dane Ryan Gambill, R.N., License No. 28140815A

Administrative Cause No. 2011 NB 400

Re: Prehearing Settlement Conference

The State of Indiana was represented by Laura Wilford. Respondent failed to appear and the State requested a Notice of Proposed Default. Burghduff/McIntosh, 5-0-0, motion carries

E. In the Matter of the License of: Tiffany Ann Robertson, L.P.N., License No. 27059455A

Administrative Cause No. 2011 NB 331

Re: Prehearing Settlement Conference

F. In the Matter of the License of: Salena Marie Folkner, L.P.N., License No. 27044852A

Administrative Cause No. 2011 NB 339

Re: Prehearing Settlement Conference

The State of Indiana was represented by Mark Mader. Respondent failed to appear and the State requested a Notice of Proposed Default. McIntosh/Ogle, 5-0-0, motion carries

G. In the Matter of the License of: Tammy Marie Stransky, L.P.N., License No. 27065285A

Administrative Cause No. 2011 NB 288

Re: Prehearing Settlement Conference

H. In the Matter of the License of: Linda Kay Cox., License No. 27018040A

Administrative Cause No. 2011 NB 311

Re: Prehearing Settlement Conference

The State of Indiana was represented by David Fleischhacker. Respondent failed to appear and the State requested a Notice of Proposed Default. Burghduff/Ogle, 5-0-0, motion carries

I. In the Matter of the License of: Carey Anne Clouser, L.P.N., License No. 27052253A

Administrative Cause No. 2011 NB 382

Re: Prehearing Settlement Conference

The State of Indiana was represented by Jessica Joshua. Respondent failed to appear and the State requested a Notice of Proposed Default. Burghduff/Ogle, 5-0-0, motion carries

J. In the Matter of the License of: Barbara Ellen Risinger, R.N., License No. 28065212A

Administrative Cause No. 2011 NB 377

Re: Prehearing Settlement Conference

The State of Indiana was represented by Patricia Gibson. Respondent failed to appear and the State requested a Notice of Proposed Default. Burghduff/Ogle, 5-0-0, motion carries

Note: Ms. Risinger's counsel requested a continuance after Board staff left for the Muncie Board meeting. Ms. Gibson was contacted and did not object to having the matter reset for a prehearing settlement conference at a later date.

K. In the Matter of the License of: Krista Lynn King, R.N., License No. 28160326A

Administrative Cause No. 2011 NB 334

Re: Prehearing Settlement Conference

The State of Indiana was represented by Jason Gross. Respondent failed to appear and the State requested a Notice of Proposed Default. Burghduff/Ogle, 5-0-0, motion carries

L. In the Matter of the License of: Karl J. Burgess, L.P.N., License No. 27051516A

Administrative Cause No. 2011 NB 390

Re: Prehearing Settlement Conference

The State of Indiana was represented by Jason Gross. A summary suspension was requested in this matter. Chuck Lindquist, Indiana State Nurses Assistance Program, served as a witness. Respondent was not present for the summary suspension hearing. After a hearing, a motion was made and seconded to issue the summary suspension. Narwold/Presley, 5-0-0, motion carries

M. In the Matter of the License of: Kris Ann Gerber, R.N., License No. 28140150A

Administrative Cause No. 2011 NB 380

Re: Prehearing Settlement Conference

The State of Indiana was represented by Jason Gross. Respondent failed to appear and the State requested a Notice of Proposed Default. Burghduff/Dolk, 5-0-0, motion carries

N. In the Matter of the License of: Laurie Ann Bauer, R.N., License No. 28102555A

Administrative Cause No. 2011 NB 335

Re: Prehearing Settlement Conference

The State of Indiana was represented by Mark Mader. Respondent failed to appear and the State requested a Notice of Proposed Default. Burghduff/Dolk, 5-0-0, motion carries

O. In the Matter of the License of: Mary Patricia Benkie, R.N., License No. 28109759A

Administrative Cause No. 2011 NB 336

Re: Prehearing Settlement Conference

The State of Indiana was represented by Mark Mader. Respondent failed to appear and the State requested a Notice of Proposed Default. Burghduff/Dolk, 5-0-0, motion carries

P. In the Matter of the License of: Kristina M. Brucker, L.P.N., License No. 27051328A

Administrative Cause No. 2011 NB 338

Re: Prehearing Settlement Conference

The State of Indiana was represented by Mark Mader. Respondent failed to appear and the State requested a Notice of Proposed Default. Burghduff/McIntosh, 5-0-0, motion carries

Q. In the Matter of the License of: Ashley Nicole Irving, L.P.N., License No. 27059574A

Administrative Cause No. 2011 NB 516

Re: Prehearing Settlement Conference

The State of Indiana was represented by David Fleischacker. Petitioner requested a continuance in this matter. A motion was made and seconded to grant the request to continue the matter. Burghduff/McIntosh, 5-0-0, motion carries

R. In the Matter of the License of: Sharon Lea Johnson, R.N., License No. 28111983A

Administrative Cause No. 2011 NB 517

Re: Prehearing Settlement Conference

S. In the Matter of the License of: Tammy A. Henderson, R.N., License No. 28147267A

Administrative Cause No. 2011 NB 518

Re: Prehearing Settlement Conference

T. In the Matter of the License of: Christopher R. Scorsolini, R.N., License No. 28178571A

Administrative Cause No. 2011 NB 519

Re: Prehearing Settlement Conference

The State of Indiana was represented by David Fleischhacker. Respondent failed to appear and the State requested a Notice of Proposed Default. Burghduff/McIntosh, 5-0-0, motion carries

U. In the Matter of the License of: Stephanie Chastain, R.N., License No. 28133709A

Administrative Cause No. 2011 NB 215

Re: Prehearing Settlement Conference

V. In the Matter of the License of: Dana Haynes, R.N., License No. 28161314A

Administrative Cause No. 2011 NB 293

Re: Prehearing Settlement Conference

The State of Indiana was represented by David Fleischhacker. Respondent failed to appear and the State requested a Notice of Proposed Default. Burghduff/Dolk, 5-0-0, motion carries

XI. DEFAULT HEARINGS

A. In the Matter of the License of: Cassandra Vaughn, R.N., License No. 28143520A

Administrative Cause No. 2010 NB 291

Re: Notice of Proposed Default

Response Received 1/3/12

Parties and Counsel Present:

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

Joshua Timmons, Certified Legal Intern, on behalf of the State of Indiana

Participating Board Members:

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

Board Action:

The State requested that default be issued against the Respondent.

McIntosh/Presley, 5-0-0, Default Issued

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, must have one year of total compliance with ISNAP prior to reinstatement, continuing education, fine and costs. Burghduff/Ogle 5-0-2, motion carries

B. In the Matter of the License of: Jessica Truman, L.P.N., License No. 27061309A

Administrative Cause No. 2011 NB 265

Re: Notice of Proposed Default

Response from Respondent

Parties and Counsel Present:

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

Participating Board Members:

Burghduff (Hearing Officer), Dolk, McIntosh, Presley, Narwold,

Board Action:

The State requested that default be issued against the Respondent.

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

After a hearing, a motion was made and seconded to place Respondent's license on indefinite probation, must have 6 months compliance in an ISNAP RMA, fine, continuing education and costs. Burghduff/Presley 5-0-0, motion carries

C. In the Matter of the License of: Joy McLearn, R.N., License No. 28091042A

Administrative Cause No. 2011 NB 324

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Burghduff (Hearing Officer), Dolk, McIntosh, Presley, Narwold

Board Action:

The State requested that default be issued against the Respondent.
Narwold/McIntosh, 5-0-0, Default Issued

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension for a minimum of three (3) years, must provide proof of completion of a live refresher course, fine and costs. Narwold/McIntosh, 5-0-0, motion carries

D. In the Matter of the License of: Kimberly Landrum, L.P.N., License No. 27061409A

Administrative Cause No. 2011 NB 249
Re: Notice of Proposed Default and Order

Parties and Counsel Present:

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

Participating Board Members:

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

Board Action:

The State requested that default be issued against the Respondent.

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

After a hearing, a motion was made and seconded to place Respondent's license indefinite suspension, must demonstrate one year of total compliance in an ISNAP RMA, continuing education and costs. Burghduff/Ogle, 5-0-0, motion carries

E. In the Matter of the License of: Sonya Ruffin, R.N., License No. 28162177A

Administrative Cause No. 2011 NB 309
Re: Notice of Proposed Default
Response received 12/21/11 placed in litigation file

Parties and Counsel Present:

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

Participating Board Members:

Burghduff (Hearing Officer), Dolk, McIntosh, Presley, Narwold

Board Action:

The Board considered the response received and requested that the matter be reset for final hearing. McIntosh/Burghduff, 5-0-0, motion carries

F. In the Matter of the License of: Cynthia Trotter, R. N., License No. 28172366A

Administrative Cause No. 2011 NB 310
Re: Notice of Proposed Default
Response from Respondent placed in file

Parties and Counsel Present:

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

Participating Board Members:

Burghduff (Hearing Officer), Dolk, McIntosh, Presley, Narwold

Board Action:

The Board considered the response received and requested that the matter be reset for final hearing. McIntosh/Burghduff, 5-0-0, motion carries

G. In the Matter of the License of: Renee Wagler, R. N., License No. 28133778A

Administrative Cause No. 2011 NB 323
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Burghduff (Hearing Officer), Dolk, McIntosh, Presley, Narwold

Board Action:

The State requested that default be issued against the Respondent.

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

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, must provide proof of one year of total compliance in an ISNAP RMA, continuing education, fine and costs. Burghduff/Narwold, 5-0-0, motion carries

H. In the Matter of the License of: Linda Stewart, L.P.N., License No. 27064798A

Administrative Cause No. 2011 NB 352
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Burghduff (Hearing Officer), Dolk, McIntosh, Presley, Narwold

Board Action:

The State requested that default be issued against the Respondent.

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

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, must provide proof of 6 months total compliance in an ISNAP RMA, continuing education, fine and costs. Burghduff/Dolk 5-0-0, motion carries

I. In the Matter of the License of: Dawn Burgess, L.P.N., License No. 27020183A

Administrative Cause No. 2011 NB 341

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

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

Board Action:

The State requested that default be issued against the Respondent.

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

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, must provide documentation of 1 year compliance in an ISNAP RMA, continuing education and costs. Burghduff/Laux, 5-0-0, motion carries

J. In the Matter of the License of: Rebecca Doyle, R. N., License No. 28096199A

Administrative Cause No. 2011 NB 330

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

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

Board Action:

The State requested that default be issued against the Respondent.

Burghduff/Presley 5-0-0, Default Issued

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, must provide proof of 6 months compliance in an ISNAP RMA, continuing education, fine and costs. Laux/Dolk, 6-0-0, motion carries

K. In the Matter of the License of: Chauteya Williams, L.P.N., License No. 27063355A

Administrative Cause No. 2011 NB 285

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

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

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, must provide proof of a free and clear license in Ohio, fine and costs Burghduff/Laux, 6-0-0, motion carries

L. In the Matter of the License of: Crystal Torres-Roberts, R. N., License No. 28165109A

Administrative Cause No. 2011 NB 289

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

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

Board Action:

The State requested that default be issued against the Respondent.

Burghduff/Ogle, 6-0-0, Default Issued

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, must provide documentation of 6 months compliance in an ISNAP RMA, fine and costs. Laux/Ogle, 6-0-0, motion carries

M. In the Matter of the License of: Lara Poe, L.P.N., License No. 27044219A

Administrative Cause No. 2011 NB 261

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, McIntosh, Presley, Narwold

Board Action:

The State requested that default be issued against the Respondent.

Burghduff/McIntosh, 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 for a minimum of five years, must provide proof of completion of 1 year of compliance in an ISNAP RMA, costs and fine.

Burghduff/Presley, 5-0-0, motion carries

N. In the Matter of the License of: Tonya Moore, R. N., License No. 28177223A

Administrative Cause No. 2011 NB 268

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, McIntosh, Presley, Narwold

Board Action:

The State requested that default be issued against the Respondent.

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

After a hearing, a motion was made and seconded to place Respondent's license on indefinite probation, may not lift until the Missouri nursing license is free and clear, fine and costs. Narwold/Presley, 5-0-0, motion carries

O. In the Matter of the License of: Nila Lawson, R. N., License No. 28162547A

Administrative Cause No. 2011 NB 264

Re: Notice of Proposed Default

Response from Respondent

Parties and Counsel Present:

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

Participating Board Members:

Burghduff (Hearing Officer), Dolk, McIntosh, Presley, Narwold

Board Action:

The State requested that default be issued against the Respondent.

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

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, must provide proof of compliance in an ISNAP RMA for one year, fine and costs. Burghduff/Narwold, 5-0-0, motion carries

P. In the Matter of the License of: Janice L. Dean, L.P.N., License No. 27055468A

Administrative Cause No. 2010 NB 195

Re: Notice of Proposed Default Order

Response from Respondent placed in file

Parties and Counsel Present:

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

Joshua Timmons, Certified Legal Intern, on behalf of the State of Indiana

Participating Board Members:

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

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, must provide proof of a free and clear license in Ohio, fine and costs Burghduff/Laux, 6-0-0, motion carries

Q. In the Matter of the License of: Violet Thompson, L.P.N., License No. 27046741A

Administrative Cause No. 2005 NB 0154

Re: Notice of Proposed Default Order

Response from Respondent placed in file

Parties and Counsel Present:

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

Joshua Timmons, Certified Legal Intern, on behalf of the State of Indiana

Participating Board Members:

Burghduff (Hearing Officer), Dolk, McIntosh, Presley, Narwold

Board Action:

The State requested that default be issued against the Respondent.

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

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, must provide proof of 1 year of compliance in an ISNAP RMA and costs. Narwold/McIntosh, 5-0-0, motion carries

R. In the Matter of the License of: Brittany Lee, R.N., License No. 28170229A

Administrative Cause No. 2011 NB 351

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

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

Board Action:

The State requested that default be issued against the Respondent.

McIntosh/Laux, 5-0-0, Default Issued

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, must provide documentation of 6 months compliance in an ISNAP RMA, continuing education, fine and costs. Burghduff/McIntosh, 5-0-0, motion carries

S. In the Matter of the License of: Vickie Lynn Davis, L.P.N., License No. 27034510A

Administrative Cause No. 2011 NB 347

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Burghduff (Hearing Officer), Dolk, McIntosh, Presley, Narwold

Board Action:

The State requested that default be issued against the Respondent.

McIntosh/Dolk, 5-0-0, Default Issued

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, must provide documentation of 6 months compliance in an ISNAP RMA, continuing education, fine and costs. Narwold/McIntosh, 5-0-0, motion carries

T. In the Matter of the License of: Kyla Covington, L.P.N., License No. 27053229A

Administrative Cause No. 2011 NB 345

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Burghduff (Hearing Officer), Dolk, McIntosh, Presley, Narwold

Board Action:

The State requested that default be issued against the Respondent.

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

After a hearing, a motion was made and seconded to place Respondent's license on indefinite suspension, must provide documentation of 1 year compliance in an ISNAP RMA, continuing education, fine and costs. McIntosh/Dolk, 5-0-0, motion carries

U. In the Matter of the License of: Kristina Renner, R.N., License No. 28145097A

Administrative Cause No. 2011 NB 353

Re: Notice of Proposed Default

The State requested a continuance of this matter.

XII. ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS

Board Action: A motion was made and seconded to accept all recommendations. Burghduff/McIntosh, 7-0-0, motion carries

A. In the Matter of the License of: Celia Ortiz, L.P.N., License No. 27058660A

Administrative Cause No. 2010 NB 243

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 was sworn in as a witness. After a hearing, ALJ Slagle recommended that the probationary status of Ms. Ortiz's license be withdrawn.

B. State of Indiana v. Scott Weatherman, R.N., License No. 28111693A

Administrative Cause No. 1995 NB 0065

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 Mr. Weatherman's license be withdrawn.

The following hearings took place on January 5, 2012:

A. In the Matter of the License of: Lori Ritchie, R.N., License No. 28176950A

Administrative Cause No. 2007 NB 0170

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 Roxanne Thomas from ISNAP were sworn in as witnesses. After a hearing, ALJ Slagle recommended that the probationary status of Ms. Ritchie's license be withdrawn.

The following personal appearances took place on January 5, 2012:

1. Donna Kerzan

Ms. Kerzan was requested to appear regarding her application for licensure by endorsement. She answered no to all questions and had a history on her criminal background check regarding 2 DUIs. Her license in AZ has been disciplined. She sent correspondence that she would not appear since she lives in AZ. ALJ Burghduff recommended that her application be denied.

2. Stacey Claycamp

Ms. Claycamp appeared regarding her application for licensure by examination. She has failed the NCLEX 5 times since graduating from nursing school in 2008. She stated she plans to start working with a tutor and has test anxiety. ALJ Burghduff recommended that her application be denied and she may reapply with documentation of 95% or higher probability of passing the NCLEX.

3. Lisa Clark

Ms. Clark's personal appearance was cancelled by the board director. She reported 4 previous failures and completed school in 2007. She previously appeared before the BON on 9/1/11 and has provided the requested documentation for testing.

4. Jordan Ellis

Mr. Ellis did not appear as requested regarding his application for licensure by examination. The personal appearance meeting will be rescheduled.

5. LeAndria Williams

Ms. Williams appeared regarding her application for licensure by examination. She reported several incidents in 2005 including possession of cocaine, marijuana usage, gun possession, failure to appear and driving on a suspended license. ALJ Burghduff recommended she be allowed to test, contact ISNAP for an evaluation and sign an RMA if eligible. The license is to be issued on probation for 1 year with quarterly supervisor reports.

6. David Winchester

Mr. Winchester appeared regarding his application for licensure by examination. He reported DUIs in 2009 and 2010 along with domestic battery in 2004. He states he plans to move to Florida to care for his mother. ALJ Burghduff recommended he be allowed to test, contact ISNAP for an evaluation and sign an RMA if eligible. The license is to be issued on probation for 6 months.

7. Tanya Sherrill

Ms. Sherrill's personal appearance is being rescheduled to 2/2/12.

8. Rachel Millikan

Ms. Millikan appeared regarding her application for licensure by examination. She reported OWIs in 2008 and 2009. She was also arrested for driving on a suspended license in 2009. The CBC showed a theft and criminal conversion

charge in 1995 which she explained were for shoplifting at age 16. ALJ Burghduff recommended she be allowed to test, contact ISNAP for an evaluation and sign an RMA if eligible. The license is to be issued on probation for the length of the RMA.

9. Taylor Kopple

Ms. Kopple appeared regarding her application for licensure by endorsement. She reported arrests for furnishing alcohol to a minor and using a fake ID. She has an active KY license and states she still drinks in moderation. ALJ Burghduff recommended her license be issued free and clear.

10. Romel Turner

Mr. Turner sent correspondence on 1/4/12 that he is unable to attend the personal appearance meeting. It will be rescheduled.

11. Brianne Kisley

Ms. Kisley's personal appearance is being rescheduled to Jan. 19, 2012.

12. Jessica Howard

Ms. Howard appeared regarding her application for licensure by examination. She has failed the NCLEX 5 times since graduating from school in 2002. She has an active LPN license. ALJ Burghduff recommended denying her application and she must enroll in a review course and provide proof of 95% or higher probability of passing. She stated she gets physically ill before taking the test due to anxiety and her doctor has prescribed Xanax for that.

13. Thomas Phillips

Mr. Phillips appeared regarding the positive response on his RN licensure application. He reported an OWI in 1991 at age 16 resulting in the death of a passenger as well as injuries to the rest of the passengers. In 1995 he was arrested for operating a vehicle without a license. His probation was revoked for consuming alcohol after the OWI. He stated he has consumed no alcohol since August 2010. ALJ Burghduff recommended that his license be issued free and clear upon passing the NCLEX.

14. Coloia Wilkerson

Ms. Wilkerson appeared regarding her application for RN licensure by examination. She reported past heroin addiction and several arrests for criminal activities related to that addiction. She previously reported all those arrests on her LPN application in 2009, and reports no new arrests since then. ALJ Burghduff recommended she be allowed to test and that she have an ISNAP evaluation for her licensure file.

15. Danielle Boddie

Ms. Boddie appeared before the BON in October 2011 for a personal appearance regarding her application for LPN licensure. She was to get an ISNAP evaluation then return for this personal appearance. ISNAP confirms she has made contact and the evaluation is under way subject to the therapist's follow through. ALJ Burghduff recommended she be allowed to test and the license be issued free and clear as long as she continues to follow up with the ISNAP program.

16. Kathleen Hull

Ms. Hull appeared regarding the positive response on her RN renewal application. She reported her MI license was disciplined due to her handling of a patient's feeding tube. She is on probation there. ALJ Burghduff recommended renewing her license free and clear.

17. Adam Weir

Mr. Weir applied for renewal on 9/15/11. There is a pending complaint with the AG's office and his license has been disciplined in another jurisdiction. He did not appear as requested and ALJ Burghduff recommended that his renewal be denied.

18. Earlene Swaim

Ms. Swaim appeared regarding the positive response on her RN renewal application. Her meeting was rescheduled from 11/15/ and 12/1. She reported several write-ups while working at Logansport State Hospital. She reported having a stroke in May 2011 and is not currently working. She stated she resigned after the write-ups at work. Her license was previously disciplined in 2008 because of renewal fraud in 2006 for having someone else renew her license and answer all questions no. ALJ Burghduff recommended renewing her license on indefinite probation once she submits proof of having an MMPI-II and a statement from her physician that she is safe to practice as a nurse.

19. Diana Williams

Ms. Williams did not appear as requested regarding the positive response on her RN renewal application. The meeting has been scheduled three times. ALJ recommended that her renewal be denied.

20. Macy Louthain

Ms. Louthain did not appear as requested regarding the positive response on her RN renewal application. She reported being on probation in CA for DUI. ALJ Burghduff recommended that her renewal be denied.

21. Frances Jones

Ms. Jones did not appear as requested to explain the positive response on her application for RN renewal. The PA has been rescheduled from Dec. 1. There is a complaint pending with the AG's office. ALJ Burghduff recommended denying her renewal.

22. Dana Hurt

Ms. Hurt appeared regarding the positive response on her RN renewal application. The meeting was rescheduled from Dec. 1. She reported being convicted for possession of a syringe that she had inadvertently taken from work and planned to return later. She stated the matter was referred to the AG's office but no complaint is pending at this time. She is to contact ISNAP for an evaluation before her license will be renewed.

23. Judith Cottingham

Ms. Cottingham did not appear as requested regarding the positive response on her RN renewal application. She reported losing her driver's license after being pulled over for falling asleep at the wheel after taking too much pain medication. Her meeting was rescheduled from Dec. 1 and she states she is unable to attend due to not having a valid driver's license. ALJ Burghduff recommended denying her renewal.

24. Brigette Wayo

Ms. Wayo did not appear as requested regarding the positive response on her RN renewal application. She has litigation pending before the BON and her license was placed on emergency suspension on Dec. 15, 2011. ALJ Burghduff recommended renewing her license on suspension.

25. Rebecca Rice-Smucker

Ms. Rice-Smucker did not appear as requested regarding the positive response on her RN renewal application. She reported a termination in 2010 for patient care issues. She also reported a termination on her 2009 renewal. Her personal appearance meeting was rescheduled from Dec. 1. ALJ Burghduff recommended that her renewal be denied.

26. Pamela Lamaster

Ms. Lamaster appeared regarding the positive response on her RN renewal application. The meeting was rescheduled from Dec. 1. She reported a termination in 2010 within the first 6 months of her probationary period for allegedly yelling at a patient. She also reported a termination on her 2008 LPN renewal for making a medication error in which she gave too much medication to a patient. She states she has difficulty working with psychiatric patients and does not plan to work in those settings again. ALJ recommended renewing her license.

27. Kim Atkins

Ms. Atkins appeared with counsel regarding the positive response on her RN renewal application. Her license is currently suspended and she stated she has been in a program to address her addiction. ALJ Burghduff recommended renewing her license on suspension. She has an active license in IL.

28. Peggy Gregory

Ms. Gregory applied for renewal of her RN license which is currently on suspension. Since she has litigation pending before the BON, ALJ Burghduff recommended renewing her license on suspension.

29. Misty Hensley

Ms. Hensley appeared regarding the positive response on her RN renewal application. She reported her FL license was disciplined because she left work in a hurry without clocking out. When questioned by her employer, she stated she did not work that day but collected her pay for the time she was there. Her license in FL was placed on probation. ALJ Burghduff recommended renewing her IN license on indefinite probation until her FL license issued is resolved. She also has an APN/CSR license in Indiana and those licenses will be placed on probation as well.

30. Karey Hogue

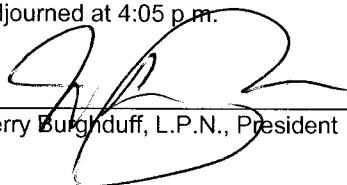
Ms. Hogue did not appear as requested regarding the positive response on her RN renewal application. She did not explain her positive response but sent documentation regarding the settlement of a malpractice suit. ALJ Burghduff recommended referring the matter to the AG's office and her RN/APN/CSR licenses will remain Valid to Practice pending review.

31. Kathleen Arnold

Ms. Arnold appeared regarding the renewal of her RN license which expired in 2003. She had not provided proof of active licensure in another state or proof of CEs prompting the scheduling of the personal appearance meeting. She stated she did not understand the timeframe required to provide the CEs. She stated she has not been working as a nurse. Today she provided proof of 6 CEs each in the area of assessment, documentation, ethics, and medication safety. ALJ Burghduff recommended that her license be renewed.

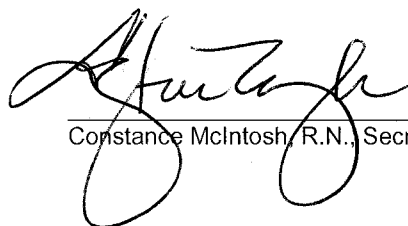
XIII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Nursing adjourned at 4:05 p.m.



Jerry Burghduff, L.P.N., President

2-16-12
Date


Constance McIntosh, R.N., Secretary

2-16-12
Date