

MINUTES

INDIANA STATE BOARD OF NURSING

May 16, 2007

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Mr. Helmuth called the meeting to order at 8:32 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:

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

Board Members Absent:

Ann Parker, R.N., Secretary
Laurel Valentino, R.N., Member
Darla Jones, L.P.N., Member

State Officials Present:

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

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda, as amended.

HELMUTH/PETERS
Motion carried 5-0-0

III. ADOPTION OF THE MINUTES FROM THE APRIL 19, 2007 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes, as amended, from the April 19, 2007 meeting of the Board.

HELMUTH/SLAGLE
Motion carried 5-0-0

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM (ISNAP) REPORT

Charles Lindquist, ISNAP Program Director, presented the monthly report to the Board. Mr. Lindquist informed the Board that ISNAP has, as of April 2007, 460 active clients, 21 new intakes, 45 intakes in process and 16 RMA's returned.

Mr. Lindquist stated that the quarterly reports for January – March 2007 are nearly completed. ISNAP met on the 15th of April to review those who have applied for the needs assistance fund. They reviewed seven applications, seven qualified for assistance and vouchers were mailed.

Mr. Lindquist discussed the quarterly provider meeting that was held on April 24, 2007 at St. Vincent's Hospital. Dr. Karimi, addictionist, spoke on the use of seboxone for detoxification and pain management. Harry Anderson, MSW, also spoke in regards to sensitivity to cultural differences.

Mr. Klein addressed the board to explain the outcome regarding the proposed nurse compact legislation. He informed the board that the legislation, which included increased funding for the Indiana State Nurses Assistance Program, did not pass. He requested that the board issue some type of opinion on the matter. Additionally, he reminded the board that the contract with the Indiana State Nurses Association for the Indiana State Nurses Assistance Program will expire on July 31, 2007.

Mr. Lindquist addressed the audience as requested by the Board.

V. EDUCATION

1. Goshen College – FYI for the Board

Goshen College submitted information regarding an institutional change with their annual report. Goshen College is opening a practitioner and nurse leader program at a Master level.

VI. PERSONAL APPEARANCES

A motion was made and seconded to affirm the recommendations of Carolyn Slagle for the Board, as follows:

HELMUTH/PETERS
Motion carried 4-0-1 Ms. Slagle abstained.

A. Appearance by Applicants for Licensure

1. Robert Walston

Mr. Walston appeared before the Board regarding the positive response on his application for licensure by endorsement. Mr. Walston was terminated from Good Samaritan Hospital in Cincinnati, Ohio possibly due to some sexual harassment he experienced from an employee or because he complained to the corporate office in regards to the hospital. Mr. Walston explained that he is unsure of why he was terminated exactly. Ms. Slagle recommended Mr. Harrison's submit a report from his current employer and previous employer in Kentucky regarding is competency, attendance and team work. Once the reports are received, Carolyn Slagle will review the letters for approval.

2. Edward Roederer

Mr. Roederer appeared before the Board regarding the positive response on his application for licensure by examination. Mr. Roederer was arrested for trafficking marijuana in 2000-2001. In 1995 he was charged with assault on a minor. Ms. Slagle recommended Mr. Roederer's license be issued.

3. John Robert Majewski

Mr. Majewski appeared before the Board regarding the positive response on his application for licensure by endorsement. Mr. Majewski self reported to the Arizona State Board of Nursing that he needed help due to alcohol abuse. Mr. Majewski has been in recovery for three years and five months, attended intensive outpatient and continues to attend AA two to three times a week. His license is currently on Indefinite Probation in Arizona. Mr. Majewski stated that he has been in contact with ISNAP. Robin Reibsomer, ISNAP Coordinator, explained that Mr. Majewski's monitoring agreement is ready for his signature. Ms. Slagle recommended Mr. Majewski's license be issued on Indefinite Probation for the length of his ISNAP contract.

4. Sandra Miller

Ms. Miller appeared before the Board regarding the positive response on her application for licensure by examination. In March, 2004 Ms. Miller received an OWI. She was court ordered to an alcohol abuse deterrent program and three years of criminal probation, which will be completed on July 12, 2007. Ms. Slagle recommended to allow Ms. Miller to sit for the examination and be evaluated by ISNAP. Once we receive approval from ISNAP and Ms. Miller passes the examination, her licensed may be issued.

5. Robin McClure

Ms. McClure appeared before the Board regarding the positive response on her application for licensure by endorsement. Ms. McClure was injured on the job and was asked to take a drug and alcohol screen. Ms. McClure did not take the screen until one week later. The screen tested positive for marijuana. Ms. McClure was terminated for not completing the drug screen in a timely manner. In October and November of 2005 she voluntarily admitted herself to Genesis Inpatient Facility for a twenty-two day rehabilitation. She completed the inpatient program and was rehired at the same facility on December 2, 2005. Ms. Slagle recommended Ms. McClure be evaluated by ISNAP. Once we receive approval from ISNAP, her license can be issued.

6. Aaron Lipp

Mr. Lipp appeared before the Board regarding the positive response on his application for licensure by endorsement. Mr. Lipp informed the Board that he wanted to withdraw his application at this time. Ms. Slagle recommended Mr. Lipp's application be withdrawn.

7. Racquel Hudson

Ms. Hudson appeared before the Board regarding the positive response on her application for licensure by examination. Ms. Hudson was arrested in Lawrence County on June 19, 2006 and charged with public intoxication, a class B misdemeanor. On October 25, 2006 she completed level II of the ADAPT substance abuse program. Ms. Slagle recommended Ms. Hudson's license be issued on Indefinite Probation for a period of six (6) months of continuous compliance with ISNAP.

8. Teresa Najera

Ms. Najera did not appear before the Board regarding the positive response on her application for licensure by endorsement. Ms. Slagle recommended Ms. Najera's license be denied.

VII. PERSONAL APPEARANCES BEFORE THE FULL BOARD

B. Appearance for Applicants by Renewal

1. Erica Christine Mahaffey

Ms. Mahaffey appeared before the Board regarding the positive response on her renewal application. Ms. Mahaffey pled guilty to a misdemeanor charge of possession of paraphernalia in February, 2005. She was on criminal probation for six months and did twenty hours of community service.

Board Action: A motion was made and seconded to approve Erica Christine Mahaffey's application for renewal.

HELMUTH/PETERS
Motion carried 5-0-0

2. Angela Dirr

Ms. Dirr appeared before the Board regarding the positive response on her renewal application. In February, 2005 Ms. Dirr was asked to resign from Sisters of Charity in OH. In April, 2005 she pled guilty to theft of drugs. Ms. Dirr did treatment in lieu of conviction. Ms. Dirr graduated in September, 2006 from inpatient and outpatient treatment. She is working with Ohio's monitoring program and has been sober since July 23, 2005.

Board Action: A motion was made and seconded to approve Angela Dirr's application for renewal.

HELMUTH/PETERS
Motion carried 5-0-0

3. Kelley Susan Elsner

Ms. Elsner appeared before the Board regarding the positive response on her renewal application. Ms. Elsner received information from the Attorney General's Office that a complaint had been filed against her license.

Board Action: A motion was made and seconded to approve Kelley Susan Elsner's application for renewal and refer the application to the Attorney General's Office.

HELMUTH/PETERS
Motion carried 5-0-0

VIII. ADMINISTRATIVE HEARINGS

A. The following hearings were continued:

- 1. State of Indiana v. Denise Constantine, R.N., License No. 28115998A**
Administrative Cause No. 2007 NB 042
Re: Disciplinary Hearing

2. State of Indiana v. Dianne Bentley, L.P.N., License No. 27030553A
Administrative Cause No. 2006 NB 0168
Re: Request to Withdraw Probation

B. State of Indiana v. Cherry Diane Clevenger, L.P.N., License No. 27011136A
Administrative Cause No. 2007 NB 044
Re: Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: A complaint was filed on March 30, 2007 alleging the Respondent violated three counts of Indiana Code 25-1-9-4.

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

HELMUTH/SLAGLE
Motion carried 6-0-0

C. State of Indiana v. Johnnie Peoples, R.N., License No. 28165552A
Administrative Cause No. 2007 NB 045
Re: Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: A complaint was filed on March 30, 2007 alleging the Respondent violated three counts of Indiana Code 25-1-9-4.

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

HELMUTH/PETERS
Motion carried 6-0-0

D. State of Indiana v. Martha Ellen Schroeder, R.N., License No. 28095724A
Administrative Cause No. 2007 NB 046
Re: Disciplinary Hearing

Parties and Counsel Present:

Martha Ellen Schroeder, Respondent
Elizabeth Kiefner, Deputy Attorney General for the State of Indiana

Participating Board Members:

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

Case Summary: A Complaint was filed on April 2, 2007 alleging the Respondent violated one count of Indiana Code 25-1-9-4. A Verbal Agreement was presented to the Board. The Agreement included Censure of the Respondent's license.

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

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

E. State of Indiana v. Vicki Lynn Gerkin, L.P.N., License No. 27030631A

Administrative Cause No. 2003 NB 0122

Re: Order to Show Cause

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Peters
Ms. Dye
Ms. Shook
Ms. Little

Case Summary: Respondent's license was placed on Indefinite Probation at the May 10, 2005 Board meeting. The Final Order was filed on July 13, 2005. An Order to Show Cause was filed on April 5, 2007.

Board Action: A motion was made and seconded to continue the hearing until the June Board meeting.

HELMUTH/PETERS
Motion carried 5-0-0

F. State of Indiana v. Melissa Retz, L.P.N., License No. 27046320A

Administrative Cause No. 2006 NB 0129

Re: Disciplinary Hearing

Parties and Counsel Present:

Melissa Retz, Respondent
Mark Mader, Deputy Attorney General for the State of Indiana

Participating Board Members:

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

Case Summary: A Complaint was filed on October 17, 2006 alleging the Respondent violated five counts of 25-1-9-4. A Verbal Agreement was presented to the Board. The Agreement included a fine in the amount of \$250.00 dollars and six (6) continuing education credits as outlined in the Final Order.

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

HELMUTH/PETERS
Motion carried 4-0-1 Ms. Dye abstained.

G. State of Indiana v. Joan Kennell Willems, R.N., License No. 28138323A

Administrative Cause No. 2007 NB 052

Re: Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Peters
Ms. Dye

Ms. Shook
Ms. Slagle
Ms. Little

Case Summary: A Complaint was filed on April 3, 2007 alleging the Respondent violated one count of Indiana Code 25-1-9-4.

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

HELMUTH/SHOOK
Motion carried 6-0-0

H. State of Indiana v. Charlotte Veronica Clay, R.N., License No. 28165139A

Administrative Cause No. 2007 NB 049
Re: Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: A Complaint was filed on April 3, 2007 alleging the Respondent violated three counts of Indiana Code 25-1-9-4.

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

HELMUTH/PETERS
Motion carried 6-0-0

I. State of Indiana v. Cynthia Bolenbaugh, R.N., License No. 28129081A

Administrative Cause No. 2003 NB 0159
Re: Request to Withdraw Probation

Parties and Counsel Present:

Cynthia Bolenbaugh, Respondent
Mark Mader, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Peters
Ms. Dye
Ms. Shook
Ms. Little

Case Summary: Respondent's license was placed on Indefinite Probation at the June 17, 2004 Board meeting. The Findings of Fact and Order was filed on July 26, 2004.

Board Action: A motion was made and seconded to withdraw the probation on the Respondent's license once IPLA receives approval from ISNAP.

HELMUTH/DYE
Motion carried 5-0-0

J. State of Indiana v. Suzanne Fiedler, L.P.N., License No. 27050576A

Administrative Cause No. 2006 NB 0103
Re: Request to Withdraw Probation

Parties and Counsel Present:

Suzanne Fiedler, Respondent
Morgan Wills, Deputy Attorney General for the State of Indiana

Participating Board Members:

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

Case Summary: Respondent's license was placed on Indefinite Probation at the September 21, 2006 Board meeting. The Findings of Fact and Order was filed on October 5, 2006.

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

HELMUTH/SLAGLE
Motion carried 6-0-0

K. State of Indiana v. Jennifer Bruggen, L.P.N., License No. 27042751A

Administrative Cause No. 2007 NB 009
Re: Order to Show Cause

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: Respondent's license was placed on Indefinite Probation at the January 18, 2007 Board meeting. The Decision on License Renewal Application was filed on February 16, 2007. An Order to Show Cause was filed on April 12, 2007.

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

HELMUTH/PETERS
Motion carried 5-0-0

L. State of Indiana v. Rhonda Dee Brown, L.P.N., License No. 27033735A

Administrative Cause No. 2006 NB 0050
Re: Order to Show Cause

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: Respondent's license was placed on Indefinite Probation at the June 15, 2006 Board meeting. The Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order was filed on June 29, 2005. An Order to Show Cause was filed on April 12, 2007.

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

HELMUTH/PETERS
Motion carried 6-0-0

M. State of Indiana v. Stephanie Willoughby, L.P.N., License No. 27043973A

Administrative Cause No. 2005 NB 0202

Re: Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: An Amended Complaint was filed on April 12, 2007 alleging the Respondent violated five counts of Indiana Code 25-1-9-4.

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

HELMUTH/SLAGLE
Motion carried 6-0-0

N. State of Indiana v. Cynthia Fuller, L.P.N., License No. 27036515A

Administrative Cause No. 2006 NB 0119
Re: Preliminary & Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: Respondent's license was placed on Summary Suspension at the March 15, 2007 Board meeting. A complaint was filed on November 27, 2006 alleging the Respondent violated four counts of Indiana Code 25-1-9-4.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default and renew the Summary Suspension on the Respondent's license for an additional ninety (90) days.

HELMUTH/DYE
Motion carried 6-0-0

O. State of Indiana v. Timothy Butcher, L.P.N., License No. 27038960A

Administrative Cause No. 2006 NB 0141
Re: Preliminary & Disciplinary Hearing

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: Respondent's license was placed on Summary Suspension at the February 15, 2007 Board meeting. A Complaint was filed on February 5, 2007 alleging the Respondent violated five counts of Indiana Code 25-1-9-4.

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

HELMUTH/PETERS
Motion carried 6-0-0

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

HELMUTH/SLAGLE
Motion carried 6-0-0

P. State of Indiana v. Babette Ball, L.P.N., License No. 27033683A

Administrative Cause No. 2006 NB 0143
Re: Preliminary & Disciplinary Hearing

Parties and Counsel Present:

Babette Ball, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director
Diana Cravell
Janet Perry

Participating Board Members:

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

Case Summary: Respondent's license was placed on Summary Suspension at the February 15, 2007 Board meeting. A Complaint was filed on February 5, 2007 alleging the Respondent violated six counts of Indiana Code 25-1-9-4

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year. Further, Respondent must have six (6) months of compliance with ISNAP, pay a fine in the amount of \$750.00 dollars and complete nine continuing education credits as outlined in the Final Order prior to petitioning for reinstatement.

HELMUTH/SLAGLE
Motion carried 6-0-0

Q. State of Indiana v. Mary Ellen Venable, R.N., License No. 28098522A

Administrative Cause No. 99 NB 016
Re: Order to Show Cause

Parties and Counsel Present:

Respondent did not appear, but, was represented by counsel, Kevin McShane.
Laura Wilford, Deputy Attorney General for the State of Indiana

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Peters
Ms. Dye
Ms. Slagle
Ms. Little

Case Summary: Respondent's license was placed on Indefinite Probation at the February 28, 2005 Board meeting. The Final Order was filed on April 27, 2005. An Order to Show Cause was filed on April 12, 2007. Counsel for the Respondent requested a continuance before the Board.

Board Action: A motion was made and seconded to continue the hearing until the July Board meeting and renew the Summary Suspension on the Respondent's license until the July Board meeting.

HELMUTH/PETERS
Motion carried 5-0-0

- R. State of Indiana v. Sherry Lynn Robertson, R.N., License No. 28097610A**
Administrative Cause No. 2006 NB 0111
Re: Request for Reinstatement

Parties and Counsel Present:

Sherry Lynn Robertson, Respondent
Shelley Johnson, Deputy Attorney General for the State of Indiana

Participating Board Members:

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

Case Summary: Respondent's license was placed on Indefinite Suspension at the December 14, 2006 Board meeting. The Findings of Fact and Order was filed on January 5, 2007.

Board Action: A motion was made and seconded to reinstate the Respondent's license on Indefinite Probation for the length of her ISNAP contract.

HELMUTH/SLAGLE
Motion carried 6-0-0

- S. State of Indiana v. Natasha Tucker, L.P.N., License No. 27037907A**
Administrative Cause No. 98 NB 062
Re: Request to Withdraw Probation

Parties and Counsel Present:

Natasha Tucker, Respondent
Mark Mader, Deputy Attorney General for the State of Indiana

Participating Board Members:

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

Case Summary: Respondent's license was placed on Indefinite Probation at the December 10, 1998 Board meeting. The Findings of Fact, Conclusions of Law and Order was filed on November 22, 1999.

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

HELMUTH/SLAGLE
Motion carried 6-0-0

- T. State of Indiana v. Chisa Johnson, L.P.N., License No. 27053568A**
Administrative Cause No. 2007 NB 0012
Re: Order to Show Cause

Parties and Counsel Present:

Chisa Johnson, Respondent
Laura Wilford, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

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

Case Summary: Respondent's license was placed on Indefinite Probation at the January 18, 2007 Board meeting. The Decision on License Renewal Application was filed on February 16, 2007. An Order to Show Cause was filed on April 16, 2007.

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Suspension. Further, prior to petitioning, Respondent must have six (6) months of full compliance with ISNAP and pay a fine in the amount of \$250.00 dollars.

HELMUTH/DYE
Motion carried 6-0-0

U. State of Indiana v. Deborah K. Ousley, L.P.N., License No. 27046310A

Administrative Cause No. 2007 NB 010

Re: Notice of Proposed Dismissal

Parties and Counsel Present:

Respondent did not appear and was not represented by counsel.

Laura Wilford & Morgan Wills, Deputy Attorney Generals for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Mr. Helmuth (Hearing Officer)

Ms. Peters

Ms. Dye

Ms. Little

Ms. Shook

Case Summary: Respondent's license was placed on Indefinite Probation at the January 18, 2007 Board meeting. The Decision on License Renewal Application was filed on February 16, 2007. An Order to Show Cause was filed on April 23, 2007.

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

HELMUTH/PETERS
Motion carried 5-0-0

V. State of Indiana v. Twila Sue Westenbarger, L.P.N., License No. 27024616A

Administrative Cause No. 2005 NB 0174

Re: Order to Show Cause

Parties and Counsel Present:

Twila Sue Westenbarger, Respondent

Laura Wilford, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Mr. Helmuth (Hearing Officer)

Ms. Peters

Ms. Dye

Ms. Little

Ms. Shook

Ms. Slagle

Case Summary: Respondent's license was placed on Indefinite Probation at the October 20, 2005 Board meeting. The Decision on License Renewal was filed on November 10, 2005. An Order to Show Cause was filed on April 23, 2007.

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

HELMUTH/SLAGLE
Motion carried 6-0-0

W. State of Indiana v. Amy Lynn Lamb, L.P.N., License No. 27047913A

Administrative Cause No. 2007 NB 032

Re: Petition for Summary Suspension

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: A Petition for Summary Suspension was filed on May 1, 2007.

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

HELMUTH/PETERS
Motion carried 6-0-0

X. State of Indiana v. Anne Sokol, R.N., License No. 28083965A

Administrative Cause No. 2007 NB 019

Re: Preliminary & Disciplinary Hearing

Parties and Counsel Present:

Anne Sokol, Respondent
Morgan Wills, Deputy Attorney General for the State of Indiana

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

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

Case Summary: Respondent's license was placed on Summary Suspension at the February 15, 2007 Board meeting. A Complaint was filed on May 7, 2007 alleging the Respondent violated seven counts of Indiana Code 25-1-9-4.

Board Action: A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of ninety (90) days of compliance with ISNAP from the time she entered the ISNAP program. Further, Respondent must pay a fine in the amount of \$500.00 dollars.

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

Y. State of Indiana v. Elaine Antonette Price, R.N., License No. 28048068A

Administrative Cause No. 2007 NB 028

Re: Petition for Extension of Summary Suspension

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Peters
Ms. Dye
Ms. Little
Ms. Shook

Ms. Slagle

Case Summary: A Petition for Extension of Summary Suspension was filed on May 9, 2007.

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

PETERS/HELMUTH
Motion carried 6-0-0

Z. State of Indiana v. Kelly Saucedo, L.P.N., License No. 27046634A

Administrative Cause No. 2007 NB 031

Re: Petition for Extension of Summary Suspension

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: A Petition for Extension of Summary Suspension was filed on May 9, 2007.

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

HELMUTH/SLAGLE
Motion carried 6-0-0

AA. State of Indiana v. Angela Darnetta Hayes, L.P.N., License No. 27023633A

Administrative Cause No. 2007 NB 070

Re: Petition for Summary Suspension

Parties and Counsel Present:

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

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

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

Case Summary: A Petition for Summary Suspension was filed on May 11, 2007.

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

HELMUTH/PETERS
Motion carried 6-0-0

BB. State of Indiana v. Kimberly Kay Garrett, L.P.N., License No. 27042940A

Administrative Cause No. 2007 NB 072

Re: Petition for Summary Suspension

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: A Petition for Summary Suspension was filed on May 11, 2007.

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

HELMUTH/PETERS
Motion carried 6-0-0

CC. State of Indiana v. Shannon Hunsicker, R.N., License No. 28155399A

Administrative Cause No. 2007 NB 073
Re: Petition for Summary Suspension

Parties and Counsel Present:

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

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

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

Case Summary: A Petition for Summary Suspension was filed on May 11, 2007.

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

HELMUTH/DYE
Motion carried 6-0-0

DD. State of Indiana v. Tresha Ann Wooten, R.N., License No. 28105475A

Administrative Cause No. 2006 NB 0154
Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: Respondent did not appear at the hearing scheduled on March 15, 2007. The Summary Suspension and Notice of Proposed Default was filed on April 20, 2007. There has been no response from the Respondent.

Board Action: A motion was made and seconded to hold the Respondent's license in Default.

HELMUTH/DYE
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year. Further, prior to petitioning, Respondent must have six (6) months of compliance with ISNAP and pay a fine in the amount of \$500.00 dollars.

HELMUTH/SHOOK
Motion carried 5-0-0

EE. State of Indiana v. Georgetta Sue Parton, L.P.N., License No. 27047507A

Administrative Cause No. 2006 NB 0155

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: Respondent did not appear at the hearing scheduled on March 15, 2007. The Notice of Proposed Default and Summary Suspension Order was filed on April 11, 2007. There has been no response from the Respondent.

Board Action: A motion was made and seconded to hold the Respondent's license in Default.

HELMUTH/DYE
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license Indefinite Suspension for a period of one (1) year. Further, prior to petitioning, Respondent must have six (6) months of compliance with ISNAP and pay a fine in the amount of \$250.00 dollars.

HELMUTH/PETERS
Motion carried 5-0-0

FF. State of Indiana v. Lisa Elizabeth Iliff Kennedy, R.N., License No. 28129286A

Administrative Cause No. 2003 NB 0179

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: Respondent did not appear at the hearing scheduled on March 15, 2007. The Summary Suspension and Notice of Proposed Default Order was filed on April 9, 2007. There has been no response from the Respondent.

Board Action: A motion was made and seconded to hold the Respondent's license in Default.

HELMUTH/SLAGLE
Motion carried 6-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension. Further, Respondent must have six (6) months of compliance with ISNAP and a pay a fine in the amount of \$250.00 dollars.

HELMUTH/SLAGLE
Motion carried 6-0-0

GG. State of Indiana v. Gilbert Bagu, R.N., License No. 28132337A

Administrative Cause No. 2006 NB 0156

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)

Ms. Dye

Ms. Little

Ms. Slagle

Ms. Peters

Case Summary: Respondent did not appear at the hearing scheduled on March 15, 2007. The Summary Suspension and Notice of Proposed Default Order was filed on April 9, 2007. There has been no response from the Respondent.

Board Action: A motion was made and seconded to hold the Respondent's license in Default.

HELMUTH/SLAGLE

Motion carried 5-0-0

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

HELMUTH/SLAGLE

Motion carried 5-0-0

HH. State of Indiana v. Ann Marie Blasko, R.N., License No. 28148127A

Administrative Cause No. 2006 NB 0081

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)

Ms. Dye

Ms. Little

Ms. Peters

Ms. Shook

Case Summary: Respondent did not appear at the hearing scheduled on March 15, 2007. The Order Extending Summary Suspension and Notice of Proposed Default Order was filed on March 21, 2007. There has been no response from the Respondent.

Board Action: A motion was made and seconded to hold the Respondent's license in Default.

HELMUTH/SHOOK

Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of two (2) years. Further, Respondent must have six (6) months of compliance with ISNAP, all urine drug screens must be observed, pay costs to the Indiana Professional Licensing Agency and Attorney General's Office and pay a fine in the amount of \$500.00 dollars.

HELMUTH/PETERS

Motion carried 5-0-0

II. State of Indiana v. Dustin Russell Childress, L.P.N., License No. 27045163A

Administrative Cause No. 2006 NB 0160

Re: Notice of Proposed Default

Parties and Counsel Present:

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

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Little
Ms. Peters
Ms. Shook

Case Summary: Respondent did not appear at the hearing scheduled on March 15, 2007. The Notice of Proposed Default and Extension of Summary Suspension Order was filed on May 3, 2007. There has been no response from the Respondent.

Board Action: A motion was made and seconded to hold the Respondent's license in Default.

HELMUTH/SHOOK
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year. Further, Respondent must have ninety (90) days of compliance with ISNAP, pay costs to the Indiana Professional Licensing Agency and Attorney General's Office, and pay a fine in the amount of \$500.00 dollars.

HELMUTH/SHOOK
Motion carried 5-0-0

JJ. State of Indiana v. Leslie Anne Fitzgerald, R.N., License No. 28081900A

Administrative Cause No. 2007 NB 0017

Re: Notice of Proposed Default

Parties and Counsel Present:

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

State's Witness:

Charles Lindquist, ISNAP Program Director

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Little
Ms. Peters
Ms. Shook

Case Summary: Respondent did not appear at the hearing scheduled on April 19, 2007. The Extension of Summary Suspension and Notice of Proposed Default Order was filed on May 3, 2007. There has been no response from the Respondent.

Board Action: A motion was made and seconded to hold the Respondent's license in Default.

HELMUTH/PETERS
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year. Further, Respondent must have ninety (90) days of compliance with ISNAP and pay a fine in the amount of \$250.00 dollars.

HELMUTH/PETERS
Motion carried 5-0-0

KK. State of Indiana v. Carla Renee Whitney, L.P.N., License No. 27042373A

Administrative Cause No. 2007 NB 0024

Re: Notice of Proposed Default

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Dye
Ms. Little
Ms. Peters
Ms. Shook

Case Summary: Respondent did not appear at the hearing scheduled on April 19, 2007. The Summary Suspension and Notice of Proposed Default Order was filed on May 3, 2007. There has been no response from the Respondent.

Board Action: A motion was made and seconded to hold the Respondent's license in Default.

HELMUTH/PETERS
Motion carried 5-0-0

A motion was made and seconded to place the Respondent's license on Indefinite Suspension for a period of one (1) year. Further, Respondent must have ninety (90) days of compliance with ISNAP.

HELMUTH/SHOOK
Motion carried 5-0-0

IX. DELIBERATION AND POSSIBLE ISSUANCE OF FINAL ORDERS

A. Settlement Agreements

1. State of Indiana v. Dana Duke, R.N., License No. 28139811A

Administrative Cause No. 2005 NB 0010
RE: Proposed Settlement Agreement

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Peters
Ms. Shook
Ms. Dye
Ms. Little

Case Summary: An Agreement was filed on May 10, 2007 between the Respondent and the Office of the Attorney General. The Agreement included Indefinite Suspension on the Respondent's license for a period of five (5) years. Further, prior to petitioning for reinstatement, Respondent must enter into an RMA with ISNAP, submit complete results of evaluation by addictionologist, pay a fine in the amount of \$1,000.00 dollars, submit documentation detailing the status of any and all criminal cases involving the Respondent and provide certified documents which demonstrate that her nursing licenses in other jurisdictions are in good standing.

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

HELMUTH/PETERS
Motion carried 5-0-0

2. State of Indiana v. Joye Sarelee Powers, R.N., License No. 28149793A

Administrative Cause No. 2007 NB 050
Re: Proposed Settlement Agreement

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)

Ms. Peters
Ms. Shook
Ms. Dye
Ms. Little

Case Summary: An Agreement was filed on May 15, 2007 between the Respondent and the Office of the Attorney General. The Agreement included a fine in the amount of \$250.00 dollars.

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

HELMUTH/DYE
Motion carried 5-0-0

3. State of Indiana v. Elizabeth Joan McIntosh, R.N., License No. 28066087A

Administrative Cause No. 2007 NB 047
Re: Proposed Settlement Agreement

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Peters
Ms. Shook
Ms. Dye
Ms. Little

Case Summary: An Agreement was filed on May 15, 2007 between the Respondent and the Office of the Attorney General. The Agreement included Indefinite Probation of the Respondent's license if she should choose to renew her license. At the time of renewal Respondent shall provide certified documentation of the current status of her license in California and any other state in which she holds a license to practice nursing. At the time the Respondent agrees to participate in a settlement conference to determine what, if any, conditions should be placed on the Respondent's Indiana nursing license.

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

HELMUTH/DYE
Motion carried 5-0-0

4. State of Indiana v. Heather Michelle Hinkle, L.P.N., License No. 27044379A

Administrative Cause No. 2007 NB 038
Re: Proposed Settlement Agreement

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Peters
Ms. Shook
Ms. Dye
Ms. Little

Case Summary: An Agreement was filed on May 15, 2007 between the Respondent and the Office of the Attorney General. The Agreement included a Letter of Reprimand and three hours of continuing education as outlined in the Final Order.

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

HELMUTH/PETERS
Motion carried 5-0-0

5. State of Indiana v. Sonya Rita Money, L.P.N., License No. 27028741A

Administrative Cause No. 2007 NB 039
Re: Proposed Settlement Agreement

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Peters
Ms. Shook
Ms. Dye
Ms. Little

Case Summary: An Agreement was filed on March 28, 2007 between the Respondent and the Office of the Attorney General. The Agreement included a fine in the amount of \$250.00 dollars.

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

HELMUTH/PETERS
Motion carried 5-0-0

6. State of Indiana v. Katherine Anne Henchey, R.N., License No. 28162653A

Administrative Cause No. 2007 NB 043
Re: Proposed Settlement Agreement

Parties and Counsel Present:

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

Participating Board Members:

Mr. Helmuth (Hearing Officer)
Ms. Peters
Ms. Shook
Ms. Dye
Ms. Little

Case Summary: An Agreement was filed on May 3, 2007 between the Respondent and the Office of the Attorney General. The Agreement included Indefinite Suspension of the Respondent's license. Further, prior to petitioning for reinstatement, Respondent must contact ISNAP and have ninety (90) days of compliance with her ISNAP contract, submit six (6) continuing education credits as outlined in the Final Order and pay a fine in the amount of \$250.00 dollars.

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

HELMUTH/PETERS
Motion carried 5-0-0

7. State of Indiana v. Catheryn Cummins, L.P.N., License No. 27039268A

Administrative Cause No. 2007 NB 018
Re: Proposed Settlement Agreement

Parties and Counsel Present:

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

Participating Board Members:

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

Case Summary: An Agreement was filed on May 14, 2007 between the Respondent and the Office of the Attorney General. The Agreement included Indefinite Probation of the Respondent's license until completion of her ISNAP contract. Further, Respondent must pay a fine in the amount of \$750.00 dollars within sixty (60) days of the Final Order and submit six (6) continuing education credits within sixty (60) days of the Final Order.

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

HELMUTH/DYE
Motion carried 6-0-0

8. **State of Indiana v. William Hunter, R.N., License No. 28162600A**
Administrative Cause No. 2007 NB 059
Re: Proposed Settlement Agreement

Parties and Counsel Present:

William Hunter, Respondent
Morgan Wills, Deputy Attorney General for the State of Indiana

Participating Board Members:

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

Case Summary: An Agreement was filed on May 14, 2007 between the Respondent and the Office of the Attorney General. The Agreement included Indefinite Probation of the Respondent's license until completion of his ISNAP contract. Further, Respondent must pay a fine in the amount of \$250.00 dollars and submit six (6) continuing education credits within sixty (60) days of the Final Order.

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

HELMUTH/PETERS
Motion carried 6-0-0

B. Administrative Law Judge Recommendations

1. **State of Indiana v. Pamela Oney, L.P.N., License No. 27016289A**

Administrative Cause No. 83 NB 014
Recommendation: Denial of Withdraw of Probation

Board Action: A motion was made and seconded to accept the recommendations of Celinda Kay Leach, Administrative Law Judge, for Pamela Oney.

HELMUTH/PETERS
Motion carried 6-0-0

2. **State of Indiana v. M. Barbara Ellen Davisson, R.N., License No. 28040401A**

Administrative Cause No. 2002 NB 038
Recommendation: Denial of Withdraw of Probation

Board Action: A motion was made and seconded to allow thirty (30) days for parties to submit briefs.

HELMUTH/PETERS
Motion carried 6-0-0

X. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Nursing adjourned at 6:55 p.m.

Mervin Helmuth, R.N., President

Date

Ann Parker, R.N., Secretary

Date