

INDIANA STATE BOARD OF NURSING

INDIANA GOVERNMENT CONFERENCE CENTER
AUDITORIUM
302 WEST WASHINGTON STREET
INDIANAPOLIS, INDIANA 46204

MINUTES OF OCTOBER 21, 2004

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

Members Present: Laurie Peters, R.N., President
Mervin Helmuth, R.N., Vice President
Janis Shook, L.P.N., Member
Carolyn Slagle, R.N., C.N.S., Member
Susan Dye, R.N., Member
Laurel Valentino, R.N., Member
Traci Little, JD, Consumer Member
Ann Parker, R.N., Member

Members Absent: Darla Jones, L.P.N., Secretary

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

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

Helmuth/Jones, 7/0/0

The Board voted to adopt the minutes of the September meeting as amended.

Jones/Helmuth, 7/0/0

Let the record reflect that board member, Traci Little, JD, arrived at the meeting.

INDIANA STATE NURSES ASSISTANCE PROGRAM

Donna Goch, Program Director presented their quarterly report from July 1, 2004 to September 30, 2004, which brought a lot of transition. Cases were transitioned to new case managers, and the existing data was transitioned into a new database that is accessible to all ISNAP staff. In September, drug testing was transitioned to National Medical Services. The drug screen has also changed to a more sensitive screen developed to monitor health professionals. The screen is more sensitive to opiates, benzodiazepines and ethyl Glucuronide (EtG). During the month of September, they had 23 positive EtG's.

During the first quarter there was an average of 458 participants involved in ISNAP. 76 intakes were initiated, 17 RMAs were signed, 51 participants were discharged. There were approximately 24 relapses during the month of September, but due to program and lab changes during the first quarter relapse information is available only for September.

Donna addressed the students.

DISCUSSION

Indiana Health Careers.com - Joe Sheets presented information regarding this recruiting service specializing in healthcare. It is designed to be more than just a job site but a resource guide for government requirements and education. There will be links to post secondary schools and continuing education sites. Healthcare providers can search for available jobs by employer, county, city and job type. The website is free for students. It is easy for a job seeker to submit their resume and there is also a resume-building wizard that will lead you step by step in creating a resume.

Pamela Oney – Request for early withdrawal of probation – The Board considered her early request to withdraw the probation on her license. Her license was placed on probation July 2001 for 5 years of active nursing practice. She indicates she has been in recovery for almost 6 years and is in full compliance with ISNAP. The Board voted to schedule a hearing to consider her request.

Peters/Slagle, 8/0/0

Ari Davis – Request for early reinstatement of license – The Board considered Mr. Davis' early request to reinstate his license. He is eligible for reinstatement in January 2005. He signed an agreement for a six (6) month suspension in June. After discussion, the Board denied his request.

Peters/Helmuth, 8/0/0

EDUCATION

J. Everett Light Career Center – Change of Admission from annually to biannually – Katherine Callahan-Thompson, MSN, RN, CNS, FNP, Program Director appeared before the Board regarding this matter. Ms. Callahan- Thompson stated that they are not changing the number of students enrolled, just the admission times. They will be admitting 40 students 2 times per year, rather than 80 students once a year. They do have the faculty to meet this need. The board moved to approve this request.

Peters/Slagle, 8/0/0

Ball State University – Revised student learning outcomes for BSN program – FYI
No board approval needed

Deaconess College of Nursing – clinical experience in Indiana for web based program
– FYI and the Board indicated that a copy of the new rules should be sent to the college with the section pertaining to clinicals highlighted.

Ivy Tech State College Valparaiso – Application for Accreditation of ASN program – Jan Kramer and Phyllis Mooney appeared before the Board to present this matter. They have clinical facilities lined up and have hired 1 full time and 1 part time faculty. They will admit 20 students in January and then admit 20 students every January and August. They have adequate lab facilities and budgetary resources. They are working on office space. The Board approved the application and program approval pending a site visit.

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

Ivy Tech State College – Proposed paramedic to ASN program– Jan Kramer and Dr. Jeff Pittman, Chancellor Wabash College Region, appeared before the Board to present this matter. They indicated that the general education requirements and psychology would be identical to traditional ASN programs. All other courses would be the same. This program would be available at a campus where there is a need. Terre Haute will be offering the program first. The Board voted to approve the proposal.

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

Michiana College – Letter of intent for LPN program – Daniel Summer and Diane Sargent appeared to present this proposal. This proposal is to open a campus in Fort Wayne. It will mirror the curriculum of the South Bend campus. They indicated that there is certainly a need, as Ivy Tech is the only PN program in that area. They will admit 25 students per enrollment cycle. They have clinical facilities that extend from

LaGrange to Byrne. Mr. Summer's indicated that the market demand shows that long-term care should be a target. Mr. Helmuth asked whether there were able to find adequate clinical facilities in hospitals because some hospitals only allow 1 group of students on the floor at a time. Ms. Peters indicates that there doesn't appear to be faculty office space on the blueprints. They assured the Board that would be taken care of and there will be an area for faculty to have private discussions with students. The Board moved to APPROVE the program pending the survey visit.

Helmuth/Dye, 8/0/0

Purdue University Calumet – Accelerated Degree Program – no one was present from this program. Reschedule for next month.

PERSONAL APPEARANCES

EXAMINATION APPLICANTS

Thomas Alan Stout – Applicant did appear in person and was not represented by counsel regarding a positive response on his examination application. Mr. Stout informed the Board that he was arrested for Public Intoxication. He said he was very intoxicated and doesn't remember much of what happened. He received two hundred (200) community service hours and had to take an anger management course. This was his first offense. After discussion the Board moved to APPROVE Mr. Stout to take the NCLEX examination and upon successful completion he must make a personal appearance before licensure.

Peters/Slagle, 6/1/0, with Ms. Jones objecting

Lacey Renee Morris – Applicant did appear in person and was not represented by counsel regarding a positive response on her examination application. Ms. Morris informed the Board that she was having financial problems and she embezzled \$10,000 from the Bank where she worked. In a plea bargain she pled guilty to theft of \$4,400 and was ordered to serve eighteen (18) months probation. She was also ordered to make full restitution and pay a fine. She has completed all terms successfully. After discussion the Board moved to APPROVE Ms. Morris to take the NCLEX examination and to become licensed upon successful completion of the examination.

Jones/Valentino, 7/0/0

ENDORSEMENT APPLICANT

Emily Lois McKneely – Applicant did not appear. The Board moved to TABLE this matter until the November 2004 meeting.

CONSENSUS

RENEWAL APPLICANTS

Marilyn Sue Kaelin, RN, License No. 28132379A – Applicant did not appear in person and was not represented by counsel regarding a positive response on her renewal application. The Respondent previously appeared before the Board regarding this matter. The Board ordered her to be evaluated by and sign a contract with ISNAP. They tabled her renewal request until this process was complete. Ms. Kaelin has since withdrawn from ISNAP. After discussion the Board moved to DENY the renewal application.

Peters/Helmuth, 7/0/0

Peggy Hendricks, RN, License No. 28096235A – Applicant appeared in person and was not represented by counsel regarding a positive response on her renewal application. The Respondent's license is currently on probation. According to her file she is non-compliant with her probationary terms. She is missing supervisory reports and was working as a school nurse with an expired license.

After discussion the Board moved to GRANT the renewal of her license and ordered that this matter be referred to the Attorney General's Office for investigation.

Little/Valentino, 7/0/0

Let the record reflect that Laurie Peters, R.N., President left for the day.

ADMINISTRATIVE HEARINGS

The following hearings were continued.

Barbara Archer, RN, License No. 28117408A, Cause No. 2003 NB 0188
Betty Jane Wilson Grant, LPN, License No. 28023616A, Cause No. 2004 NB 0009
Susan N. Lewis, LPN, License No. 27047853A, Cause No. 2004 NB 0080
Tammy Leigh Wilson, LPN License No. 27039584A, Cause No. 2004 NB 0082
Sabrina Ramirez, RN License No. 28123031A, Cause No. 2003 NB 0080
Robin Hanlon, LPN, License No. 27042145A, Cause No. 2004 NB 0076
Kelly A. Ratliff, RN, LPN, License No. 28131567A & 27029433A, Cause No. 2004 NB 0048

Let the record reflect that Traci Little and Carolyn Slagle, RN left the meeting to attend Personal Appearance's.

Joan A. Kane, RN, License No. 28123302A, Cause No. 2004 NB 0191
Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter

sworn in for this matter was Charlotte Hedrick. Donna Goch, ISNAP Director was sworn in as a witness to testify for the State. Ms. Goch testified the Respondent was referred to ISNAP by the Office of the Attorney General in April, 2004. She received a DUI in 1987 and another one in 2002. She was employed by PRN staffing and took two Tylenol with Codeine and passed out for a period of time. An intake was conducted and Respondent admitted that she drank a 6 pack and smoked marijuana daily. She was referred to Fairbanks for an evaluation. ISNAP never received an evaluation assessment. ISNAP sent her a letter in September giving her one more opportunity to submit the evaluation. Respondent called ISNAP in early October and it was not clear whether she understood that it was her responsibility to submit that to ISNAP. Her case has not been closed by ISNAP but they cannot verify her safety to practice. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 6/0/0

Darlene Free, RN, License No. 28079154A, Cause No. 2002 NB 0110

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. Respondent submitted a request for continuance since she was in inpatient treatment. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. ISNAP closed her case because she relapsed in September. The Board voted to continue the Order to Show Cause hearing but placed her license on Emergency Suspension for ninety (90) days.

Peters/Dye, 6/0/0

Jamie Lynn Akin, RN, License No. 28159950A, Cause No. 2004 NB 0166

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Shook, 6/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Shook/Peters, 6/0/0

Marvin Dean Bowyer, Jr., RN, License No. 28125219A, Cause No. 2004 NB 0097

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was

represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Helmuth, 6/0/0

The Respondent was convicted in March 2003 for sexual criminal misconduct. His Michigan license has been suspended. He was sentenced to a minimum of thirty (30) months and a maximum of one hundred-eighty (180) months confinement. The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of ninety-nine (99) years.

Valentino/Dye, 6/0/0

Rachel Treece, LPN, License No. 27025653A, Cause No. 93 NB 050

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Helmuth/Peters, 6/0/0

The Respondent has not complied with her probation terms for sometime. An Order to Show Cause was scheduled August 23, 2004, the Respondent failed to appear. She has been in trouble with the Board since 1996 for substance abuse. The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year and the must resign with ISNAP and be complaint for three (3) months before requesting reinstatement. The Board also ordered the Respondent to pay a \$250.00 fine.

Valentino, Dye, 6/0/0

Andrea B. Henry, RN, License No. 28104260A, Cause No. 2004 NB 0119

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Shook, 6/0/0

The Respondent has been disciplined in Louisiana for practicing without a license and drug diversion. She failed to comply with the Louisiana impaired nurses program. The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) years and ordered the Respondent to be evaluated by ISNAP and do what they deem necessary. The Board also ordered the Respondent to pay a \$250.00 fine.

Peters/Shook, 6/0/0

Let the record reflect that Traci Little rejoined the meeting during the following hearing.

Katherine B. Richardson, RN, License No. 28119462A, Cause No. 2004 NB 0086

Respondent did appear in person and was represented by Susan Ziel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Paulette Worcester, RN, Education Surveyor for the Indiana State Nursing Board surveyed the Physician and Surgeon's program on December 10, 2001. During the survey Ms. Worcester found that the Respondent had signed the application and contracts as the Program Director. The program application was not nearly complete but it was found that the program was already operational. Ms. Richardson was also listed as a faculty member but not listed as a member of the Board of Directors. No one from the program had seen a copy of the statutes and rules, which govern nursing programs. Ms. Richardson testified that she has been a Dialysis nurse for the past three (3) years. She indicated to the Board that her sister asked her to sign the papers and she did so without reading them. She said she had no other roll in this other than signing the papers. After having considered the evidence presented and taking official notice of its file in this matter the Board move to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) years and ordered her to pay a \$500.00 fine for each count substantiated within six (6) months. The Board substantiated four (4) out of the six (6) counts with a fine totaling \$2,000.00. The Board also ordered the Respondent to obtain three (3) CEU's in ethics.

Peters/Parker, 6/0/1, with Ms. Little abstaining

Let the record reflect that Carolyn Slagle, RN rejoined the meeting during the following hearing.

Steven Kent Wagner, RN, License No. 28082673A, Cause No. 2004 NB 0202

Respondent did appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Detective Jim Chapman was sworn in as a witness for the State. Mr. Chapman testified that the Respondent worked for ACP Group Homes. During his time there the Respondent would frequently be with

the Psychologist when the Psychologist would have the Children undress and stand in different poses to check for bruises, cuts and other injuries. The Children range in age from fourteen (14) to eighteen (18) and have been known to hurt themselves. The Respondent testified to the Board that he did not view the procedure as an examination but as a screening. He also told the Board that when he found out the Children were uncomfortable and laughing at this procedure he told the Psychologist that it needed to stop. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to DENY the SUMMARY SUSPENSION.

Helmuth/Dye, 7/0/1, with Ms. Slagle abstaining

Clara Mae Sebree, LPN, License No. 27030866A, Cause No. 2003 NB 0180

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Helmuth, 8/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 8/0/0

Misty C. Bailey, LPN, License No. 27036077A, Cause No. 2003 NB 0145

Respondent did appear in person and was represented by David Little regarding a Settlement Conference scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. A settlement agreement between the Respondent, her counsel and the Attorney General's Office was presented to the Board by Laura Wilford, Deputy Attorney General. The settlement included a \$250.00 fine payable within thirty (30) days. After having considered the evidence presented and taking official notice of its file in the matter the Board moved to ACCEPT the settlement agreement.

Peters/Shook, 8/0/0

Carla Neal, LPN, License No. 27024282A, Cause No. 2004 NB 0061

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. An agreement between

the Respondent and the Attorney General's Office was presented to the Board by Kate Sinn, Deputy Attorney General. The agreement included INDEFINITE SUSPENSION until the Respondent has signed a contract with ISNAP. Once ISNAP has verified they have received a signed contract the Respondent's license will automatically be placed on INDEFINITE PROBATION for a period of three (3) years. The Board further ordered the Respondent to pay a \$250.00 fine with in ninety (90) days. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Helmuth/Dye, 7/0/1, with Ms. Slagle abstaining

Let the record reflect that Traci Little left for the day and Carolyn Slagle, RN and Ann Parker, RN left the meeting to attend ALJ hearings.

Lisa Elizabeth (Iliff) Kennedy, RN, License No. 28129286A, Cause No. 2003 NB 0179

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Linda Ray and Donna Goch, Program Director with ISNAP were sworn in as witnesses for the State. Ms. Ray testified that she investigated the possible drug diversion at work. She indicated to the Board that the Respondent did volunteer to take a drug screen but they refused to give her one. Ms. Goch testified that the Respondent made contact with ISNAP and was evaluated and given an alcohol dependency diagnosis. The Respondent declined to enter the ISNAP program after she was deemed eligible. The Respondent informed the Board that she did not divert any medications, however she did admit to making a documentation error. After having considered the evidence presented, testimony of the witnesses and taking official notice of its file in this matter the Board moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) months and ordered the Respondent to be evaluated by ISNAP and do what they deem necessary. The Board further ordered the Respondent to obtain three (3) CEU's in each of the following areas: Medication/Administration and Documentation. The Board also ordered the Respondent to pay a \$250.00 fine with in ninety (90) days.

Peters/Helmuth, 5/0/0

Kimberly Jo Payne, RN, License No. 28125642A, Cause No. 2003 NB 0103

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Helmuth, 5/0/03

At the request of the Board, Sara Matticks, Deputy Attorney General presented additional evidence for the consideration of an unscheduled summary suspension. Ms. Matticks informed the Board that the Respondent is currently incarcerated but could be released at anytime. When she is released the Respondent would have a current license to practice in the State of Indiana. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Valentino, 5/0/0

Julie Bruce, LPN, License No. 27042254A, Cause No. 2004 NB 0119

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Helmuth, 5/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Helmuth, Dye, 5/0/0

Steven Greenberg, LPN, License No. 27054004A, Cause No. 2004 NB 0190

Respondent did appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Donna Goch, Program Director with ISNAP was sworn in as a witness for the State. The Board was informed that a complaint has also been filed regarding this matter. Ms. Goch indicated that they could reactivate the intake process and update the Respondent's current information. The process was stopped due to financial reasons. A verbal agreement between the Respondent and the Attorney General's Office was presented to the Board by Laura Wilford, Deputy Attorney General. The agreement includes INDEFINITE SUSPENSION until the Respondent has resigned with ISNAP and has been compliant for a two (2) week period. Once ISNAP has verified this process has been complete the Respondent's license will automatically be placed on INDEFINITE PROBATION for the length of her ISNAP contract. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Helmuth/Shook, 5/0/0

Marian Beth Quinton, RN, License No. 28111971A, Cause No. 2004 NB 0196

Respondent did appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Donna Goch, Program Director with ISNAP was sworn in as a witness for the State. Ms. Goch informed the Board that the Respondent signed a RMA in August 2004. The Respondent admitted to ISNAP that she had relapsed. Ball Memorial has terminated her for diversion. Ms. Gosh informed the Board that the Respondent has just completed an IOP and the next step is to be evaluated for a return to work assessment. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days or until ISNAP has deemed the Respondent safe to return to work which ever comes first.

Peters/Helmuth, 5/0/0

Merijane Harding, LPN, License No. 27008402A, Cause No. 2004 NB 0095

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Helmuth, 5/0/0

At the request of Ms. Johnson, the Board agreed to hear the State's witness. Sworn in to testify for the State was Deborah Crane, R.N. Ms. Crane testified that the Respondent worked with life support dependent patients. The Respondent was reprimanded for sleeping while she was with a patient. She was again reprimanded for neglecting to do a treatment on a patient. The Parent's of one patient set up a video camera to film what procedures were actually being done on their Son. The video indicated that the Respondent did not do any of the treatments ordered by the Physician, however the Respondent documented that all treatments were completed. The Board thanked the witness for her testimony. At the request of the Board, Ms Johnson presented evidence for a possible unscheduled Summary Suspension. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 5/0/0

Sharon Rose Shelburne, RN, License No. 28145763A, Cause No. 2004 NB 0198

Respondent did appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Stewart, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Donna Goch, Program Director with ISNAP was sworn in as a witness for the State and Joyce Brown, Case Coordinator with ISNAP was sworn in as a witness for the Respondent. St. Vincent Hospital referred the Respondent to ISNAP for diversion of three (3) different narcotics. Ms. Goch testified that the Respondent had signed a contract with ISNAP. The Respondent's contract with ISNAP has been closed. She has had positive drug screens for alcohol. The Respondent told the Board that she doesn't have a sobriety date and admitted that she still drinks alcohol. She doesn't feel that she has a problem with alcohol and doesn't want anyone telling her she cannot drink when she wants to have one. She did indicate to the Board that she has in the past had a severe drug problem. After having considered the evidence presented, testimony of the witnesses and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Valentino, 5/0/0

Cheryl Marie Brown, RN, License No. 28103007A, Cause No. 2004 NB 0094

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Donna Goch, Program Director with ISNAP was sworn in as a witness for the State. The Respondent has had action on her Arizona license and her New Mexico license has been revoked. Ms. Goch testified that the Respondent's contract with ISNAP has been closed for non-compliance. The Respondent was supposed to be evaluated by the Arizona Assistance Program and the evaluation sent to ISNAP. This never occurred. She also indicated that ISNAP couldn't determine her safety to practice. Ms. Brown informed the Board that her sobriety date is September 2001. She also stated that they did not accept her into the Arizona Assistance Program therefore she could not send an evaluation. She was monitored by the State of Arizona and she now has a free and clear license in Arizona. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to DISMISS this matter.

Helmuth/Valentino, 5/0/0

Let the record reflect that Carolyn Slagle, RN and Ann Parker, RN rejoined the meeting.

Janet Sue Lee, LPN, License No. 27033281A, Cause No. 99 NB 038

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn

in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Helmuth, 7/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Dye, 7/0/0

Deborah Ann Pinkham, RN, License No. 28139832A, Cause No. 2004 NB 0197

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Donna Goch, Program Director with ISNAP was sworn in as a witness for the State. The Respondent was arrested March 2004 for a DUI. She also admitted to forging a Doctors signature on prescriptions for at least a year. Ms. Goch testified that the Respondent was a candidate for ISNAP however she never returned her RMA and her case was closed. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 7/0/0

Debra Bodem, LPN, License No. 27031833A, Cause No. 1996 NB 058

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Helmuth/Dye, 7/0/0

At the request of Kate Sinn, Deputy Attorney General the Board agreed to hear additional evidence for the consideration of an unscheduled summary suspension. The Respondent's license was originally suspended in 1997. She received her license back in 2003 and her contract with ISNAP has been recently closed for non-compliance. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Helmuth/Peters, 7/0/0

Julia Lee Levallo, LPN, License No. 27041193A, Cause No. 2004 NB 0180

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Shook, 7/0/0

At the request of Laura Wilford, Deputy Attorney General the Board agreed to hear additional evidence for the consideration of an unscheduled summary suspension. The Respondent was terminated for possible diversion and the State has been unable to locate the Respondent. They do not know if she is working at this time. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION.

Peters/Helmuth, 7/0/0

Marcy Dyan Christmas, RN, License No. 28154642A, Cause No. 2004 NB 0195

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Jenna Stewart and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent has had positive drug screens for Cocaine and Alcohol. She was discharged from Fairbanks for refusing further treatment. Her ISNAP contract has been closed for non-compliance. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 7/0/0

Carole A. Barry, LPN, License No. 27041533A, Cause No. 2004 NB 0078

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Helmuth/Valentino, 7/0/0

Jill Ann Moore, LPN, License No. 27037196A, Cause No. 2003 NB 0197

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Ms. Sinn informed the Board that she has sent the Respondent a settlement agreement but hasn't gotten the signed agreement back. Ms. Sinn requested a continuance until the November 2004 meeting. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to CONTINUE this matter until the November 2004 meeting.

Helmuth/Peters, 7/0/0

Mark H. Harrington, LPN, License No. 27035591A, Cause No. 2004 NB 0054

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Helmuth/Dye, 7/0/0

Andrew Sean Hicks, LPN, License No. 27025534A, Cause No. 2004 NB 0199

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Shelley Johnson, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Donna Goch, Program Director with ISNAP was sworn in as a witness for the State. Ms. Goch testified that the Respondent's contract with ISNAP was closed for non-compliance. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to place the Respondent's license on Summary Suspension for a period of ninety (90) days.

Helmuth/Valentino, 7/0/0

Connie Marie Parr, LPN, License No. 27031842A, Cause No. 2004 NB 0200

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. Donna Goch, Program Director with ISNAP was sworn in as a witness for the State. Ms. Goch testified that the Respondent's contract with ISNAP was closed for non-compliance. Ms. Goch also stated that she feel that the Respondent is an eminent risk to the public health and safety should she be allowed to continue to practice. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board

moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Helmuth/Slagle, 7/0/0

Kimberly Jo Payne, RN, License No. 28125642A, Cause No. 2003 NB 0103

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Sara Matticks, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent is currently incarcerated. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Helmuth, 5/0/0

Tonya A. Smith-Moore, RN, License No. 28153827A, Cause No. 2004 NB 0189

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Valentino, 7/0/0

At the request of Ms. Wilford, Deputy Attorney General the Board agreed to hear additional evidence for the consideration of an unscheduled summary suspension. Donna Goch, Program Director with ISNAP was sworn in as a witness for the State. Ms. Goch informed the Board that the Respondent didn't complete her IOP and they have not heard from her. Her contract with ISNAP has been closed. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Peters/Helmuth, 7/0/0

Michael G. Cummins, LPN, License No. 27043817A, Cause No. 2004 NB 0145

Respondent did not appear in person and was not represented by counsel regarding a Settlement Conference/Application to Renew scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board by Steven Douglas, Deputy Attorney General. The agreement included INDEFINITE PROBATION for a period of two (2) years. A LETTER OF REPRIMAND and 3 CEU's in each of the following areas: Patient Safety,

Abandonment and Medication Administration. The agreement also included a fine of \$250.00 payable within ninety (90) days. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the settlement agreement.

Peters/Helmuth, 7/0/0

Shawn E. Julien, RN, License No. 28153838A, Cause No. 2004 NB 0112

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing/Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION until the Respondent has signed a contract with ISNAP or until ninety (90) days whichever ever comes first.

Peters/Helmuth, 7/0/0

Alvin Leonard Miller, RN, License No. 28117428A, Cause No. 2004 NB 0023

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Peters/Helmuth, 7/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Helmuth/Dye, 7/0/0

Cara Leigh Smith-Ellis, LPN, License No. 27035008A, Cause No. 2004 NB 0151

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Helmuth/Dye, 7/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of five (5) years and ordered the Respondent to pay a \$1,500 and hearing costs within ninety (90) days.

Peters/Helmuth, 7/0/0

Mary Suzanne Chaney, RN, License No. 28064815A, Cause No. 2004 NB 0032

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent's ISNAP contact has been closed for non-compliance. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Peters/Helmuth, 7/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) years and ordered the Respondent to pay a \$500.00 fine with in ninety (90) days.

Shook/Helmuth, 7/0/0

Ronald Scott Sexton, RN, License No. 28146072A, Cause No. 2004 NB 0005

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent's licenses in Texas and Virginia have been disciplined for Diversion and Substance Abuse. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DISMISS this matter without prejudice. The Board further requested that the Respondent's license be flagged for a personal appearance should he try to renew.

Helmuth/Peters, 7/0/0

Melissa Dawn Alexander, LPN, License No. 27047672A, Cause No. 2003 NB 0093

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Kate Sinn, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent did not follow through with ISNAP. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Helmuth/Shook, 7/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year and ordered the Respondent to obtain an evaluation by ISNAP and do what they deem necessary. The Board also ordered the Respondent to pay a \$250.00 fine.

Peters/Helmuth, 7/0/0

Beth Ann Parsons, RN, License No. 28124164A, Cause No. 2003 NB 0164

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by James Holden, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent's license was placed on Probation by agreement back in April 2004. At this time the Respondent is non-compliant with all of her terms of Probation. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Helmuth/Slagle, 7/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of one (1) year and ordered the Respondent to obtain an evaluation by ISNAP and be compliant for three (3) months before requesting reinstatement of her license. The Board also ordered the Respondent to pay a \$250.00 fine.

Peters/Slagle, 7/0/0

Dezira R. Riggs, LPN, License No. 27034963A, Cause No. 2004 NB 0018

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. The Respondent is currently serving a thirty (30) month's sentence. After having considered the evidenced presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Helmuth/Shook, 7/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION for a period of three (3) years and ordered the Respondent to obtain an evaluation by ISNAP and do what they deem necessary. The Board also ordered the Respondent to pay a \$250.00 fine.

Helmuth/Valentino, 7/0/0

Sandra Lea Zeiger, LPN, License No. 27005646A, Cause No. 2004 NB 0075

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default/Response scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Charlotte Hedrick. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to set the matter for a HEARING in December 2004.

CONSENSUS

Debra Fouts, RN, License No. 28131992A, Cause No. 2004 NB 0085

Respondent did appear in person and was represented by Stephen Johnsonbaugh regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Nancy Arnold. This matter was heard as an Administrative Law Judge hearing with Ann Parker, RN and Carolyn Slagle, RN acting as the ALJ's. This matter will be discussed and presented to the Board at a future meeting for vote.

Lisa Jo Munsell, RN, License No. 28137328A, Cause No. 2004 NB 0040

Respondent did appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Nancy Arnold. This matter was heard as an Administrative Law Judge hearing with Ann Parker, RN and Carolyn Slagle, RN acting as the ALJ's. This matter will be discussed and presented to the Board at a future meeting for vote.

PERSONAL APPEARANCES

Let the record reflect that the following Personal Appearances were recommended by Carolyn Slagle, RN and Traci Little. Ms. Little was not in attendance for the vote.

EXAMINATION APPLICANTS

David Anthony Bennett – Applicant did appear before the Board concerning a positive response on his examination application and was not represented by counsel. Mr. Bennett explained that he had an OWI and a Public Intoxication charge within a three (3) week period back in 2000. He admitted that he still occasionally drinks and that his last drink was on July 4, 2004. After discussion the Board moved to APPROVE the applicant to take the NCLEX examination and upon completion he must make a personal appearance before licensure. The Board suggested that he contact ISNAP before his personal appearance.

Peters/Helmuth, 6/0/1, with Ms. Slagle abstaining

Charles Boswell – Applicant did not appear before the Board.

Kimberly Gail Patrick – Applicant did appear before the Board concerning a positive response on her examination application and was not represented by counsel. Ms. Patrick pled guilty to embezzlement from her employer. The embezzlement began 4 ½ years ago when her Husband lost his job and their financial situation was very bad. The actual embezzlement occurred from 2000 to 2002. Her sentencing is scheduled for November 15, 2004. For the past two (2) months she has worked as a C.N.A. After discussion the Board moved to APPROVE the applicant to become licensed on agreed PROBATION for a period of nine (9) months with terms and conditions and ordered the Respondent to remain compliant with the criminal court order.

Peters/Helmuth, 6/0/1, with Ms. Slagle abstaining

ENDORSEMENT APPLICANTS

Karen Ruth Edwards, RN – Applicant did appear before the Board concerning a positive response on her endorsement application and was not represented by counsel. Ms. Edwards informed the Board that her sobriety date was July 13, 2003. She used Cocaine on a daily basis for a period of five (5) months. Her Illinois license is on Probation for a period of three (3) years. She was attending AA/NA meetings in Illinois until she recently moved to Valparaiso, Indiana area. She is in the Illinois impaired program. After discussion the Board moved to APPROVE the applicant to become licensed on agreed INDEFINITE PROBATION after she has signed a contract with ISNAP. She cannot request her Probation to be lifted until her Illinois Probation status has been lifted.

Peters/Helmuth, 6/0/1, with Ms. Slagle abstaining

Emily Lois McKneely, LPN – Applicant appeared in person concerning a positive response on her endorsement application and was not represented by counsel. Ms. McKneely informed the Board that she worked in Indiana as a Nurse from January 2002 through August 2003 without an Indiana license. She indicated that her place of employment took the copy of her Illinois license and hired her as a Nurse so she thought you could practice in Indiana on your Illinois license. However, once she found out this was not true she applied for a license but did not follow through with the application process and her application was considered “abandoned” after a one (1) year period. She continued to work without a license knowing that she needed one. She has now applied for a second time to get an Indiana license. After discussion the Board moved APPROVE the applicant to become licensed on an agreed INDEFINITE PROBATION for a period of one (1) year with terms and conditions. Two specific terms are the applicant must obtain eight (8) CEU’s in Legal/Ethic issues and pay a \$1,000.00 fine. The Board further ordered the Attorney General’s Office to continue their investigation of this matter.

Peters/Helmuth, 6/0/1, with Ms. Slagle abstaining

RENEWAL APPLICANTS

Marcella Sue Enyeart, LPN, License No. 27044425A

- Did not show – Continued

Consandra Elaine Royster, LPN, License No. 27046592A

- Tabled until the January 2005 meeting for compliance with ISNAP and criminal update.

Estel Lee Simpson, LPN, License No. 27043762A

- Did not show – Continued

Cynthia Kay Skatrud, LPN, License No. 27022768A

- Renewed on Agreed Indefinite Probation for a period of one (1) year and must be evaluated by ISNAP and do what they deem necessary within forty-five (45) days.

Melanie Lea Wiseman, RN, License No. 28144783A

- Continued

Kenneth Halverson, LPN, License No. 27042033A

- Renewed on Agreed Indefinite Probation for a period of six (6) months with terms and conditions. Applicant must also obtain six (6) CEU's in each of the following areas: Medication Administration and Ethics/Legal

There being no further business the meeting adjourned at 10:50 p.m.

Laurie Peters, R.N., President

Darla Jones, L.P.N., Secretary

