

**MINUTES OF THE**  
**INDIANA STATE BOARD OF NURSING**  
**ADMINISTRATIVE LAW JUDGE**

on  
Thursday, March 07, 2024  
at 8:30 a.m.

**\*TO BE HELD THROUGH WEBEX\***  
**TO JOIN, CALL: (240) 454-0887**  
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**MEETING CODE: 172 253 3540**

**Administrative Law Judge:**

Jennifer Miller, MSN, RN (for all Administrative Hearings)  
Kim Cooper, MSN, RN (for all Personal Appearances)

**PLA Staff:**

Nicholas Hart  
Toni Herron  
Kayla Perkins  
Dinena Moore  
Rebecca Tinsley

**Advisory Counsel:**

Claire Dyer  
Donald Hannah

**Court Reporter:**

Molly Fish

**I. Probation Withdrawal (8:30 a.m.)**

1. In the Matter of the License of Micah Stemm, 28151839A  
Administrative Cause No. 2019 NB 0091  
DAG: Rebekah Hammond with CLI Carlos Montenegro  
Respondent: Present and comfortable proceeding without counsel  
Witness(es): Respondent, Alyssa Hamilton with ISNAP  
Exhibit(s): State's Exhibit 1 (PLA Affidavit)

The ALJ recommended withdrawal of probation.

2. In the Matter of the License of Jeffrey Richmond, 28163135A  
Administrative Cause No. 2019 NB 0120  
DAG: Jackson Yerkes  
Respondent: Present and comfortable proceeding without counsel  
Witness(es): Respondent, Alyssa Hamilton with ISNAP  
Exhibit(s): State's Exhibit A (PLA Affidavit)

The ALJ recommended withdrawal of probation.

3. In the Matter of the License of Jenna Fork, 27072969A  
Administrative Cause No. 2022 NB 0123  
DAG: None  
Respondent: Present and comfortable proceeding without counsel  
Witness(es): Respondent, Nick Hart with ISBN  
Exhibit(s):

The ALJ recommended withdrawal of probation.

4. In the Matter of the License of Ruth Williams, 28096855A  
Administrative Cause No. 2017 NB 0243  
DAG: Jackson Yerkes  
Respondent: Present with counsel Lorie Brown  
Witness(es): Respondent, Linda Houk, Alyssa Hamilton  
Exhibit(s): Respondent's Exhibit A (Letter from Counselor), Respondent's Exhibit B (IU Health performance evaluation), Respondent's Exhibits C-1, C-2, C-3 (CEs), Respondent's Exhibit D (Letter of support), State's Exhibit A (PLA Affidavit)

The ALJ recommended withdrawal of probation. Counsel asked to waive notice period on recommended order.

5. In the Matter of the License of Timothy Gorgei, 28180905A  
Administrative Cause No. 2017 NB 0018  
DAG: Rebekah Hammond with CLI Carlos Montenegro  
Respondent: Present and comfortable proceeding without counsel  
Witness(es): Respondent, Abigail Rosa with ISNAP  
Exhibit(s): State's Exhibit 1 (PLA Affidavit)

The ALJ recommended withdrawal of probation.

## **II. Reinstatement**

1. In the Matter of the License of Cory Warnock, 27066569A  
Administrative Cause No. 2016 NB 0402  
DAG: Jackson Yerkes  
Respondent: Present and comfortable proceeding without counsel  
Witness(es): Respondent, Alyssa Hamilton with ISNAP  
Exhibit(s): None

The ALJ recommended reinstatement of Respondent's license on probation. Indefinite probation until completion of RMA, active practice for 12 months preceding petition to withdraw probation. Quarterly reports, signed board orders, no supervisory roles or home health, hospice, school nursing, precepting, reporting requirements, keep board apprised of any changes. Refresher course with a clinical component prior to working.

2. In the Matter of the License of Sarah Hawes, 28175405A  
Administrative Cause No. 2013 NB 238  
DAG: Jackson Yerkes  
Respondent: Present and comfortable proceeding without counsel

Witness(es): Respondent, Nick Hart with ISBN  
Exhibit(s): None

The ALJ recommended denial of reinstatement.

3. In the Matter of the License of Tamara Hawn, 28193364A  
Administrative Cause No. 2019 NB 0020  
DAG: Rebekah Hammond with CLI Carlos Montenegro  
Respondent: Present and comfortable proceeding without counsel  
Witness(es): Respondent, Cassie McDaniel with OAG, Abigail Rosa with ISNAP, Nick Hart with ISBN  
Exhibit(s): State's Exhibit 1 (PLA Affidavit), State's Exhibit 2 (CCS for pending criminal case)

The ALJ recommended denial of reinstatement. Mitigating factor: Respondent's transparency,  
Aggravating: pending criminal case and ISNAP noncompliance.

### **III. Personal Appearances (12:30p.m.)**

1. Zachary Bauman: Bauman appeared for a positive response on an initial application. The positive response was related to disclosure of a 2005 OWI and a 2021 ATV accident with his daughter when he was charged with OWI for having THC in his system. His daughter broke his ankle and he lost his own leg in the accident. This was a level 6 felony conviction. He is presently on criminal probation for this case, likely through June 2025. He reported that he does not have a problem with alcohol but admitted to exhibiting bad judgment in both incidents. He expressed regret and that he knows he is lucky. The ALJ recommended issuing license on probation for the length of criminal probation. 6 months of active practice. Quarterly reports, signed board orders, keep board apprised, reporting requirements. Aggravating: 2 episodes of alcohol related crimes, second instance involved minor child, significant injury. Mitigating: transparency and remorse exhibited.
2. Amanda Holmes - VACATED
3. Yolanda Phelps: Phelps appeared for a positive response on her initial application. Graduated in 2001 and has attempted and failed NCLEX once. The ALJ recommended denial of application. The ALJ cited that the time since graduation is too long (20+ years).
4. Maria Diego Francisco: Francisco appeared for a positive response on an initial application for licensure. She disclosed an arrest and a conviction. This was an April 2020 OWI conviction. She has since completed her criminal case. She has no subsequent alcohol or criminal issues. The ALJ recommended issuance of license free and clear if the licensee passes NCLEX.
5. Christopher Elsten: Elsten appeared for a positive response on an initial application for licensure. He disclosed an arrest on his application. He disclosed that the incident was an OWI and that his criminal probation is ongoing through July of 2024. His BAC was 0.18. The ALJ recommended issuance of the license on probation for length of criminal probation. Signed board orders, quarterly reports, keep board apprised of info, reporting requirements. Active practice for minimum of 3 months. Asked to waive notice.
6. Shannon Keller: Keller appeared for a delayed RN renewal (12.14.23) with a positive response. She disclosed a termination from Community South. Shortly after starting, she slept through her alarm and missed work. She was asked to do a make-up shift and fell asleep during that shift. She felt that changes in her medication exacerbated her lack of sleep and the resulting issue with work. On the shift when she fell asleep she was "sitting" a patient and that's when she fell asleep. At that time, the patient woke up and this resulted in her termination after roughly six weeks at

Community. She disclosed several previous places of employment. She disclosed that she gave previous employers proper notice and had no issues. She reported that she had issues with one employer because she felt there was Medicaid fraud occurring and asked to be reassigned to a different case. The ALJ recommended renewal on probation for a minimum of 18 months. Signed board orders, quarterly reports, keep board apprised of info, quarterly reports. No supervisory roles, no home care, no schools. May not work shifts to exceed 14 hours in a shift, no more than 48 hours total per week. Active practice for minimum of last 12 months of probation. Aggravating: fell asleep with patient, other people reached patient before Keller did, concern with recent work history (3 employers in short span), assigned as sitter to protect patient and patient was left unattended. Keller agreed to the terms.

7. Zinaida Gringauz: Gringauz appeared for an initial examination application. She graduated from nursing school in 1999-2000. She failed NCLEX. She works as an esthetician. She immigrated from the former Soviet Union. The ALJ recommended denial of the application due to the number of years since graduation.
8. Christopher Lorin Giles: Giles appeared for a positive response on his compact license application. He was charged with domestic battery and pleaded as a class A misdemeanor. This occurred in 2021. He has completed his criminal probation. He is in the military. The battered individual was a then girlfriend. His girlfriend was intoxicated at the time and began a physical altercation. The ALJ recommended issuance of the compact license. Mitigating: transparency, military service, he was the homeowner and the girlfriend was more like a visitor, minimal injuries sustained.
9. Alexander G. Collins: Collins appeared for a positive response on a compact license. He disclosed a public intoxication charge from his time at IU Bloomington. All of these criminal cases are completed. The ALJ recommended issuance of the compact license.
10. Lakeshia Eskridge - CONTINUED
11. Karlee Warren: Warren appeared for a positive response for a 2020 OWI. She had been driving and was stopped after parking by a police officer. Her BAC was 0.209. She was served a year of probation which has since been completed. The ALJ recommended issuance of the license free and clear. Waived notice.
12. Victoria Isreal Ikara: Failed to appear.
13. Melyssa June Goularte: Goularte appeared for a positive response on her compact application. She had previous discipline on her Arizona license. This related to a patient care incident she was reported to the AZ board for related to her patient education for catheters. Her license in Arizona was suspended or revoked. She also disclosed at the appearance that she had a criminal case in 2005 and the ALJ indicated that she should have disclosed that arrest and conviction on her compact application. She disclosed a couple of different employers in the last several years. She did disclose the 2005 criminal case on her initial LPN license application in Indiana.
14. Owen Eveler: Eveler appeared for a positive response on his initial application. He disclosed a diversion agreement from a 2019 traffic stop and arrest for possession of paraphernalia (water piper/bong for marijuana). The diversion has since been completed in March 2020. The ALJ recommended issuance free and clear.
15. Rachel Schindler: Schindler appeared on an initial application with a graduation date of 2012. She has never attempted NCLEX. The ALJ recommended denial of the application.
16. Kimberly Ann Clark: Clark appeared for a positive response on a compact license application. She disclosed multiple criminal cases from 2022 relating to public intoxication and OWI case. She is presently on probation/diversion. BAC was 0.08 at the time of arrest. She was pulled over for speeding. Upon discussion, Clark indicated that she would like to withdraw her application

due to the fact that her criminal matter was nearly complete and it would be a disqualifier for compact licensure.

17. Anna Maria E Ramirez: Ramirez appeared for an initial application with a positive response related to a 2023 OWI. She indicated it was a cousin's birthday and drove after drinking. This was in June 2023 and her BAC was 0.12. She is on probation through July 2024. The ALJ recommended issuance on probation for a minimum of the length of criminal probation...Quarterly reports, signed board orders.
18. Tracy Gilmore: Gilmore appeared for a pending compact license application. Her son had a psychiatric crisis, resulting in her falling behind at a new job. Her son was readmitted for plans to murder herself (Gilmore) and her husband. She didn't disclose the termination on her RN renewal but accepted that she should have. The ALJ recommended issuance free and clear. Mitigating: family crisis, decade of consistent workplace history with 2 major employers.
19. Susanne Ellenberger: Ellenberger appeared for an LPN reinstatement application. She disclosed discipline on a license but at the PA indicated that she answered that question in error, and that she had no previous licensure issues in any state. She indicated that her Oregon license just lapsed. She also disclosed a termination/discipline at a workplace in Oregon on that application. She indicated that the last time she worked as a nurse was in 2017 in Oregon. Despite Ellenberger's statement that she had no license discipline at the PA, there is an Oregon order indicating that she was disciplined for narcotics discrepancies and documentation issues. In 2016 the Oregon Board accepted a voluntary surrender for violation of terms of the disciplinary order. She indicated that she failed to complete her Oregon discipline because her car was broken down and she could not get to her drug test site. The order was originally issued in 2016 suspending her license, but she reported working in 2017 as a nurse. The ALJ recommended denial of reinstatement. Aggravating: unlicensed for period of 7 years, inconsistencies with information reported, dishonesty regarding her license issues in Oregon, lack of honesty regarding her work history and issues at work, wasn't successful with her Oregon disciplinary order.
20. Janei Griffin: Griffin appeared for a positive response on her RN initial application. She was originally pulled over for reckless driving but pleaded guilty to OWI. She is on probation which completes in September 2024. She is currently working with St. Vincent and was working as a new grad and now as a PCT. She has not disclosed her criminal case to her employer. Her BAC was 0.18. The alcohol eval indicated two areas of concern when administered in her criminal case. The ALJ recommended issuance of the license on probation (if she passes NCLEX) for indefinite period of time for at least 9 months or length of criminal probation (whichever longer), signed board order, quarterly reports, keep the board apprised of her info, reporting requirements, active practice for minimum of 9 months as a nurse. Aggravating factors: concerns with the Hancock County substance use program, high BAC.
21. Margot Schreiber: Schreiber appeared for an initial application. She was asked to complete a review course before her 5<sup>th</sup> attempt. She completed an NCLEX review. She failed the exam for a 5<sup>th</sup> time after completing the review course. The ALJ recommended denial of her application.