

MINUTES OF THE
INDIANA STATE BOARD OF NURSING
ADMINISTRATIVE LAW JUDGE

on
Thursday, November 2, 2023
at 8:30 a.m.

TO BE HELD THROUGH WEBEX
TO JOIN, CALL: (240) 454-0887
or LOG ON: indiana.webex.com
MEETING CODE: 172 253 3540

Administrative Law Judge:

Emily Segó, DNP, RN

PLA Staff:

Nicholas Hart
Dinena Moore
Kayla Perkins
Rose Kremple
Rebecca Tinsley
Catherine Briney
Toni Herron

Advisory Counsel:

Claire Dyer

I. Personal Appearances

1. Alicia Abeyta: Abeyta appeared for an RN exam application with a positive response. Failed 4 times, completed an NCLEX review course and took the 4th attempt. The ALJ recommended denial of application.
2. Christine Messer: Messer appeared for an RN renewal with a positive response. She indicated that the positive response was a mistake. The ALJ recommended renewal free and clear.
3. Danielle Anthony: Antohny appeared for a positive response on an initial application. It was related to an incident with theft that resulted in a successfully completed pretrial diversion agreement. The ALJ recommended allowing her to test and license issuance free and clear.
4. Barbara Jean Kingma – VACATED
5. Penny Torgensen: Compact application with a positive response. Lorie Brown representing Respondent. Brown submitted CEUs and letters of recommendation. The positive response related to an OWI from 2018 that is concluded. Torgensen had a substance use assessment which resulted in no recommendation. Torgensen indicated that

she did not timely disclose the case on the relevant RN renewal on the advice of prior counsel. The ALJ recommended issuance of the compact license.

6. Renae Marie Killian: Killian appeared for a positive response on her RN renewal application. Positive response was related to a contributing to a minor case that was eventually dismissed that related to mental health/drug issues related to a family member. She indicated that there have been no other criminal or other issues. The ALJ recommended renewal free and clear.
7. Lisha M. Pettyjohn: Pettyjohn appeared for a positive response on her RN renewal. She is on a diversion agreement for OWI. Her BAC was "high." This was her first and only OWI. She is seeing a therapist of her own accord. She has already reached out to ISNAP with an assessment scheduled for November 6. The ALJ recommended renewal on indefinite probation for the length of her criminal case. She must submit quarterly reports, signed board orders, keep Board apprised of her info/that of employer, not get in any other trouble. If ISNAP recommends RMA, must enter and comply with RMA. Agreed to the terms.
8. Stephanie Blakey: Blakely appeared for a positive response on her renewal application. Blakely disclosed that she was terminated due to sleeping on the job. Blakely indicated that she overexerted herself. The ALJ recommended renewing free and clear.
9. Bernie Baker: Baker appeared for positive response on his renewal application. Baker disclosed an OWI case. He submitted letters of support from employers/healthcare providers. Her reported that he is currently in therapy and has been for a year. He completed a partial hospitalization program as well for mental health and alcohol issues. BAC at OWI was 0.14. The ALJ recommended renewal on probation for minimum of 1 year of active practice, keep board apprised, quarterly reports, signed board orders, contact ISNAP and enter RMA and comply, report relapse/other issues, MMPI2/PAI or equivalent before petitioning for probation. Completion of criminal probation and submit that info to the Board. Agreed to the terms.
10. Nora Caguioa: Caguioa appeared for a positive response on her renewal application. She was written up, not terminated. Due to it being a performance issue alone, the ALJ recommended renewal free and clear.
11. Jennifer Marie Carter - VACATED
12. Nancy Lynne McDonald: McDonald appeared for a positive response on her renewal application. She appeared with counsel Jennifer Lukemeyer. She has been charged with contributing to delinquency, possession of marijuana, paraphernalia, and maintaining a common nuisance. Lukemeyer indicated that this relates to addiction issues of McDonald's grandson. She has had no other issues in her nursing career. She has on previous maintaining a common nuisance case before this one that was dismissed, also related to her grandson. She took him in when he had an active warrant. He was also making meth behind her house related to that previous case. She indicated that she has offered to be drug tested to prove that she has no drug use issues. The ALJ recommended renewal with a referral to OAG.

13. Ashley Nicole Burton: Burton appeared for a positive response on her renewal application. She has a pending OWI case. She was advised of her 5th Amendment rights. She has not contacted ISNAP. The ALJ recommended renewal with a referral to OAG.
14. Colleen April Shay: Shay appeared for a positive response on her renewal application. She disclosed a termination while working as an APRN. She was asked to complete history and physical for patients she had not seen along with prescriptions and discharge information. She refused, escalated that issue to medical and nursing supervision, and was eventually terminated. The ALJ indicated that she found Shay's account credible. The ALJ recommended renewal free and clear.
15. Samantha N. Lowry: Lowry appeared for a positive response on her renewal application. She disclosed discipline related to a HIPAA violation and provided a response that indicated that she has learned from the experience. She still works at the facility and has had no other corrective actions. This was a facility-wide issue, not simply related to Lowry. She expressed that she learned from the situation and regretted what occurred. The ALJ recommended renewal free and clear.
16. Tosha Nicole Wharton: Wharton appeared for a positive response on her renewal application. She disclosed an OWI case from August 2023. She was advised of her 5th Amendment rights. The ALJ recommends renewal with referral of a complaint to the OAG.
17. Alisha Morr: Morr appeared for a positive response on her renewal application. She disclosed a completed OWI case. Her probation is ongoing. This was her first OWI and she had a BAC of 0.13. She indicated that she drove to Taco Bell, was walking home and drinking then. It wasn't public intoxication because she admitted to driving, although she was walking when stopped. Morr indicated that she does not currently work in a nursing role and hasn't for a year. The ALJ recommends renewal on probation, must document completion of criminal probation, quarterly reports, signed board orders, keep apprised of info. No active practice term because she is not working in a nursing role and disclosed that information. Agreed to terms.
18. Kristine Nicole Ruano: Reinstatement, expired 10/31/14. The completion of refresher course and reinstatement.
19. Daphne Denise Johnson: Johnson appeared for a reinstatement application with a license that expired in 2019. The ALJ recommended requiring the nurse to complete a refresher course with clinical component.
20. Kathleen Bernadette Bube: Bube appeared for a reinstatement application with an Indiana license that expired in 2003. Bube held a Kentucky license which expired 2017. The ALJ recommended reinstatement with the requirement that Bube complete a refresher course with clinical component.
21. Alexis P. Ice: RN Exam app, Kaplan completed for 4th attempt. She indicated that she had a stillborn son that weighed heavily on her during the period she was taking the exam. She also indicated that prior to her first attempt, she had issues with the school and her graduation information not being relayed correctly. The ALJ recommended denial of the application.

22. Sandra Lynn Maurer: Maurer appeared for a reinstatement application with a license that expired in 2003. The ALJ recommended requiring her to complete NCLEX review course, pass NCLEX, refresher, or return to school.
23. Bridget Nicole Kellams: reinstatement; expired 10/31/04 with an Ohio license that expired in 2006. The ALJ recommended requiring her to complete NCLEX review course, pass NCLEX, refresher, or return to school.
24. Gkeya Anderson: exam app; graduated 2012. The ALJ recommended denial of the application with the requirement to return to nursing school prior to licensure.
25. Alesha Jackson: reinstatement, 10/31/20. Jackson also provided a positive response indicating that she diverted hydrocodone at work and was convicted of a criminal offense related to that incident. She reports that she completed criminal probation. She also expired with discipline against her license. The ALJ recommends reinstatement with a referral to the OAG.