

MINUTES OF THE
INDIANA STATE BOARD OF NURSING
ADMINISTRATIVE LAW JUDGE

on
Friday, November 3, 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:

Jason King, DNP, RN

PLA Staff:

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

Advisory Counsel:

Donald Hannah

I. Personal Appearances

1. Lisa Rothchild: Appeared for a positive response on her renewal application with attorney Patrick Callahan. She reported termination from her position as a home health nurse for an allegation that she failed to document the appropriate assessment on her patient. She indicated that this was due to a high patient load. She stated that she completed the assessment but forgot to document that. No other history of discipline and holds multiple licenses. The ALJ recommended renewal free and clear.
2. Dwight Allen Ames: Ames appeared for a positive response on his renewal application. He indicated that he was terminated from a position as a nurse/administrator. He was accused of threatening to blow up his place of work, march on Washington, and kill his wife. He reported being unaware of where these allegations came from. He felt the incident may have related to the fact that he noticed drug discrepancies with fentanyl and other narcotics prior to his termination. He corrected those policies as he noticed the practice issues. Essentially, he felt the stories were made up due to the changes he made at the facility. He has never been charged criminally with any of the alleged offenses. The ALJ recommended renewal free and clear.
3. Jennifer Lynn Shortridge: Failed to appear. Reschedule.
4. Peggy Hsinping Yen: Failed to appear. Reschedule.

5. Rhonda Gail Davis: Davis appeared for a positive response on her renewal application. She was terminated related to diversion of a fentanyl patch. She was already enrolled with IPRP at the time, notified them of the relapse, and her RMA was extended. She was placed on a narcotics restriction and asked to complete an IOP, which she did. She returned to individual therapy and attends a weekly nurse support group. She now works in a facility without narcotics and plans to work in facilities that are narcotics-free in the future. She indicated that she became an addict after abusing legally prescribed pain medication, which was fueled by the death of her son. Brittany Sholtis with ISNAP reported that her RMA is due to end in April 2025. There are also pending criminal charges related to diversion of the fentanyl patch. She receives vivitrol injections. The ALJ recommends renewal on probation for length or RMA or completion of criminal case or 1 year active practice, whichever is longer. Quarterly reports, signed board orders, compliance with criminal case, compliance with ISNAP, no home health, hospice, school nursing, or supervisory roles. Inform board of arrest, relapse, discipline, and keep apprised of info and employer information. 6 CE's documentation, 6 professionalism and ethics, 6 impaired nursing, 6 self-care and coping. Licensee agreed to terms.
6. Haley S. Johnson - CONTINUED
7. Kristin Robertson: Robertson appeared for a positive response on her renewal application. She was arrested for OWI with a BAC of 0.238. She indicated that she had started Lexapro and made the mistake of driving in the evening. She hit a parked truck. She's still on criminal probation. Has not consumed alcohol since the event. Closed OAG investigation with a warning letter, and is doing well in ISNAP. Brittany Sholtis reports that she is doing well in her RMA, which is set to end within the month of this PA. She is on probation until June of 2024. The ALJ recommended renewal free and clear based on her candid testimony, timely reporting of her case to ISBN and ISNAP, and her ISNAP compliance (which is set to end soon). The ALJ wanted it to be reflected in the minutes that Ms. Sholtis testified on behalf of Robertson and indicated that she was not concerned with Robertson practicing based on the objective monitoring data. Robertson agreed to the terms.
8. Sherry Ann Sumwalt: Sumwalt appeared for a positive response on her renewal due to a pending OWI from June of 2023. ACE of 0.15 or more. She indicated that the incident was fueled by the fact that she rarely consumed alcohol. She does not remember the incident. She has pleaded in the criminal case. She indicated that she wasn't required to do an alcohol program in the criminal case due to it being an isolated incident. She's on criminal probation through August 2024. Her BAC was 0.184 and she was stopped driving the wrong way on a divided highway. The ALJ recommended renewal on probation, ISNAP evaluation and enrollment if recommended. Length of probation to match criminal case or RMA or 9 months of active practice, whichever is longer. Signed board orders, quarterly reports, keep board apprised of info, compliance with criminal probation. Inform board of arrests, relapses, discipline. Sumwalt agreed to the terms.
9. Kimberly Jo Hill: Hill appeared for a positive response on her renewal application. Hill reported that the incident began in 2020/2021 when her daughter died by suicide. She indicated that she started using methamphetamine. She was pulled over due to expired plates. The police found paraphernalia and drug residue in her car. She admitted that she diverted some of those materials from her nursing employer. She entered into IPRP, inpatient rehab, and then IOP immediately. She's on criminal probation and pleaded guilty and is in an RMA through January 2028. Criminal probation through September 2024. Brittany Sholtis reports that Hill has been in compliance with her RMA since it began. The ALJ recommended renewal on probation for length of criminal probation or RMA, whichever is longer. Quarterly reports, signed board orders, reporting requirements, keep Board apprised of info. Hill agreed to the terms.

10. Anna Diann Fry: Fry appeared with attorney Melissa Middleton for a positive response on her renewal application. She was charged with felony distribution of nitrous oxide to a minor and unlawful inhalation of nitrous oxide. The incident was actually that her minor daughter inhaled the whippits. Fry caught her daughter late at night using whippits. She indicated that the incident may have related to an ex-boyfriend. She is currently on a diversion agreement in the case. This is her only criminal case. She expressed regret over the incident and that she has learned from the situation. She is currently in therapy. Diversion agreement is through May of 2025. The ALJ reported that he found Fry credible, has sought help, and has taken the correct steps. The ALJ recommended renewal free and clear.
11. Meghan Deck: Deck appeared for a positive response on her renewal application. She indicated that she worked without incident since she was licensed in 2015. She reported that she had ADHD and has issues with executive function. She was terminated due to failure to document including pictures and for poor time scores. She reported that she complaint about lateral violence from other coworkers and that management failed to deal appropriately with the situation. She felt that she was asked to take more difficult patients as a consequence and that her time scores suffered. She has been successful in a subsequent nursing role. She is seeking treatment for her ADHD. She is prescribed phentermine for her ADHD. The ALJ recommended renewal of the license free and clear.
12. Jessica Lynn Hallam: Failed to appear. Reschedule.
13. Kristopher Alan Shipman: Shipman appeared for a positive response on his renewal application. He had an OWI with a BAC of 0.24. He self-reported to the Board and ISNAP. He is on criminal probation for a year that began in April 2023. He has completed IOP. He is in an aftercare probation through December 2023. He has not consumed alcohol since the incident. Brittany Sholtis reports Shipman is in compliance with his RMA. The ALJ recommended renewal on probation for the length of criminal probation or RMA or one year of active practice, whichever is longer. Signed Board orders, quarterly reports, keep board apprised of info, compliance with RMA and criminal case. Inform board of any issues (discipline, arrest, relapse). Shipman agreed to the terms.
14. Andrea Patricia Titus: Failed to appear. Applicant indicated they don't want the license. Will reschedule one more time.
15. Alison Louise Young: Failed to appear. Reschedule.
16. Amanda Sue Barker: Failed to appear. Reschedule.
17. Michele Lee Brandenburg: Brandenburg appeared for a positive response on her renewal application. She was terminated from a nursing employer for falsification of documentation. She reported that she has not ever been disciplined before. She is not aware of what she is alleged to have falsified and did ask her employer for that information. The ALJ recommended renewal free and clear based on the limited information available.
18. Lori Lynn Proctor: Proctor appeared for a positive response on her renewal application. She had returned to working nightshift and failed to do bloodwork on a baby based on discussion with another nurse. Her employer had previously discussed issues with timely completion of screenings with her. She reported that this was due to the new role and working night shift for the first time in years. Proctor reported that she is starting a new job in home care on November 6th. The ALJ recommended renewal free and clear.
19. Melissa A. Anthony - VACATED
20. Julie Deanna Kelly: Kelly appeared for a positive response on her renewal application. Kelly indicated that she has had 3 OWIs in the last years. She completed ISNAP in 2021. She completed IOP. She relapsed in 2022 and is on probation for OWI from 2022 to end in March

2024. Her probation is ongoing. She is in AA. She was also terminated from work due to poor performance and for drinking on the job. She reports that she is an alcoholic. She has been sober for a year. Most recent OWI was BAC at 0.286. Kelly had her DON testify on her behalf, who is also in an RMA. The ALJ recommended renewal on probation for the length of criminal probation or RMA or one year of active practice, whichever longer. ISNAP intake and RMA, entry and compliance if RMA recommended. Quarterly reports, signed Board order, keep Board apprised of info, compliance with criminal probation, reporting requirements (relapse, arrest, discipline). Kelly agreed to the terms.

21. Elizabeth Miranda: Miranda appeared for a positive response on her renewal application. Miranda indicated that she was working in a nursing role when there “was an incident involving alcohol.” She self-enrolled in an RMA with ISNAP. Brittany Sholtis indicated that she has been in full compliance but was issued one addendum in November 2023. RMA set to end May 2027. Diagnosis of alcohol use disorder severe. No criminal issues. The ALJ recommended renewal on probation for the length of RMA and one year of active practice. Quarterly reports, signed board orders, keep Board apprised of info, reporting requirements, RMA compliance. Miranda indicated she isn’t working. The ALJ explained the expectation of self-reports if not working. Miranda agreed to the terms.
22. Elizabeth Ann Hamilton - VACATED
23. Bethany Faith Lance: Lance appeared for a positive response on her renewal application. Lance indicated that she has an OWI/failure to stop at scene of accident from July 2022. She reported that she went to a bonfire, drank, and drove. Her BAC was 0.135 at the hospital because she refused a portable breath test. She is on one year of probation through July 2024. Lance indicated that she hasn’t had alcohol since January 2023. She doesn’t feel she has an issue with alcohol. The ALJ recommended renewal on probation for the length of criminal probation or length of RMA. ISNAP evaluation with RMA if one is recommended and compliance with that RMA. Signed Board orders, quarterly reports, reporting requirements, keep Board apprised of info. 6 months of active practice. Proof of completion of criminal case. Lance agreed to terms.
24. Cynthia A. Hunter: Failed to appear. Reschedule.
25. Rachel Carter Osban: Osban appeared for a positive response on her renewal application. She arrived at work having consumed alcohol. She provided context that on the day in question, she had been verbally abused by her husband. She drank two beers and contemplated taking off work. She decided to go to work. She also had alcohol in a bag she brought to work. She was asked to go downstairs (to the ED) to complete a blood test. She walked out without doing so. She was terminated. She expressed regret. There is a pending OAG complaint being investigated. The ALJ recommended renewal free and clear with referral to the OAG.
26. Emily Kay Titus: Titus appeared for a positive response on her renewal application. She disclosed an OWI while endangering a person case. She is on probation but is unsure of the length until a review hearing in December 2023. The ALJ recommended renewal on probation for length of criminal probation or RMA. Must complete an ISNAP evaluation and enter RMA if one is recommended. Quarterly reports, signed board orders, reporting requirements, keep Board apprised of changes to info. Six months of active practice. Titus agreed to the terms.
27. Kathryn Renee Boberg: Boberg appeared for a positive response on her renewal application. She disclosed that on Thanksgiving of 2021 she was drinking alone in her car and called 911 on herself. She was working too much during Covid as a nursing administrator. She relied on alcohol as a crutch. She self-enrolled in alcohol treatment because she knew she had a problem. She is in therapy, goes to meeting, and a psychiatrist. She stepped down from her administrative role because she knew it was too much. She stills works as a nurse. She pleaded guilty to OWI to take

responsibility. Her criminal case was resolved without probation and is complete. The ALJ recommended renewal free and clear based on her candid testimony.

28. Michelle Jean Collins: Failed to appear. Reschedule.
29. Rebecca Lynn Crabtree - CONTINUED
30. Tracy Lee DePoy: Failed to appear. Reschedule.
31. Karen Anne Goheen: Goheen appeared for a positive response on her renewal application with counsel Laura Iosue. She has a criminal case, is in IPRP, nurse support group, AA. She had a difficult marriage and a foreclosure. Her husband cheated on her with her coworker. She started drinking, which was brought on by her stressors. She completed 5 weeks of inpatient rehab. She has an OWI case that is pending. Iosue advised her of her Fifth Amendment rights. Her intention is to plead guilty to OWI. She has been diagnosed with Bipolar II. She was receiving vivitrol injections, but lost insurance during her divorce. She is in an RMA with ISNAP. Brittany Sholtis submitted a letter indicating she is in compliance. She is on oral naltrexone. She is currently working as a nurse and has no discipline issues. The ALJ recommended renewal of her license on probation for length of RMA or criminal probation, whichever longer. Signed board order, quarterly reports, compliance with RMA and criminal probation, reporting requirements, keep Board apprised of info, one year of active practice. Goheen agreed to the terms.
32. John Njau Nguyai: Nguyai appeared for a positive response on his renewal application. He was arrested for OWI in March 2023. He expressed regret and stated that this was an isolated incident. He has consumed alcohol recently. He reported that he drinks on occasion. His BAC was greater than 0.15 (0.29 via portable breath test at the scene). He pleaded guilty in June 2023 of OWI and is on criminal probation for 6 months with ignition interlock. This is expected to conclude in December 2023. The ALJ recommended renewal on probation for the length of criminal probation or RMA or one year active practice, whichever longer. ISNAP evaluation and RMA if recommended. Quarterly reports, signed board orders, reporting requirements, keep Board apprised of info, criminal case compliance. Nguyai agreed to the terms.
33. Heather Jean Perry: Perry appeared for a positive response on her renewal application. She was arrested for a domestic battery in the presence of a child. She indicated it was a false accusation from a partner she is no longer with. "Presence of a child" because her child was home. She is on pretrial diversion she thinks ends in July 2024. She has done assessments and otherwise complied with the diversion agreement. The ALJ recommended renewal free and clear due to the fact that there are no allegations of substance use issues and the criminal case appears to have no bearing on her nursing practice.
34. Paula Eilene Preston - VACATED
35. Lindsey Catherine Slaughter: Slaughter appeared for a positive response on her renewal application. She reported 2 arrests. The initial arrest was for OWI while on a travel assignment in Florida. The criminal case is resolved. The second arrest was in Indiana for residential entry and assault. She reported that she was newly on phentermine which affected her and she had taken two. She left a gathering with friends and accidentally entered the wrong apartment. She was arrested for residential entry and assault because she fought the occupants of the apartment. She completed a substance use evaluation and has completed lots of therapy, etc., through her criminal probation. Her employer is aware of her criminal cases. She expressed shame for her actions. Slaughter had a court hearing on dismissal of the Indiana case the same day as this PA. Advisory counsel reported that MyCase already reflected dismissal at the time of the PA. The ALJ recommended renewal free and clear.
36. Terry L. Vessels: Vessel appeared for a positive response related to working as a nurse providing care to a student at school. She was terminated and told that it was due to care of the child and

complaints they received. She was alleged to have touched the child when she told the child to be quiet when the teacher was speaking. These events have already resulted in a present probationary status against her license. Her positive response on this renewal was related instead to a January 2023 termination from a subsequent employer. She feels that her termination was pretextual but was stated as being for being in compliance with charting. The ALJ recommends renewal free and clear since she is already on probation.

37. Jonathan Robert Wohlford: Wohlford appeared for a positive response on his renewal application. He is a veteran with severe PTSD that was not appropriately diagnosed or treated. He went off of his medication and stopped attending therapy. He got into an argument with his wife and she called the police. He left the scene and was located a few minutes later. He was arrested for felony domestic battery (felony because his children were home). He is back in the home with his wife and children. He's never had discipline as a nurse and has won the Daisy award. His employer is aware of the criminal case. He has pleaded to misdemeanor domestic battery and expects a year of probation to run from December 2023. He is now receiving therapy and medication that is addressing his PTSD. The ALJ recommended renewal free and clear with a referral to the OAG.
38. Michael Allen Doersam: Failed to appear. Reschedule.
39. Schanna Lynn Lawinger: Failed to appear. Reschedule.
40. Haley E. Weisenbach: Failed to appear. Reschedule.
41. Kelly Jo Davis: Failed to appear. Reschedule.
42. Rebecca Douglas: Failed to appear. Reschedule.
43. Tracey Westmoreland: Failed to appear. Reschedule.
44. Merabell Yunteng: Failed to appear. Reschedule.
45. Julia Kakar - CONTINUED
46. Gabrielle Williams: Williams appeared for a positive response on a reinstatement application. She disclosed that her Illinois license was discipline due to being found on duty with an intravenous line in her arm, had self-administered a saline solution as she was feeling ill and was removed from her facility duties. The probation was for two years and terminated in November 2021. Her Illinois probation included substance use monitoring, which she reported completing successfully. She has had no other work issues. She has an active Illinois license. The ALJ recommended reinstatement free and clear.
47. Chenea Williams: Williams appeared on an examination application. She graduated from nursing school in 2008. She has never been licensed as a nurse. She has failed NCLEX three times. Although she has not worked as a nurse, she has worked in various tech roles at the VA. She still works in patient care. The ALJ recommended denial of the application.
48. Brittany Weberding: Failed to appear. Reschedule.
49. Lynn Hendrickson: Failed to appear. Reschedule.
50. Sarah Niethammer: Niethammer appeared on an examination application. She graduated from nursing school in 2010. She has never been license as a nurse. She took NCLEX with a Hawaii application in 2020 and in 2023. She is working as a patient care tech at St. Vincent. The ALJ recommended denial of the application.