

INDIANA STATE BOARD OF NURSING

**Thursday, December 15, 2022
at 8:30 a.m.**

**Indiana Government Center South
Conference Center, Room B
302 W. Washington St.
Indianapolis, IN 46204**

Board Members Present:

Kim Cooper, MSN, RN
Jennifer Miller, MSN, RN
Angela Morris, RN
Jason King, DNP, RN
Julian Gallegos, PhD, RN, FNP-BC
Judy Hamblen, LPN
Nancy Juengst, LPN
Jessica Harlan-York, JD
Sarah O'Brien, RN

Advisory Counsel:

Claire Dyer
Donald Hannah

PLA Staff:

Nicholas Hart
Toni Herron
Kayla Perkins
Ashlee Gentry
Rebecca Tinsley
Catherine Briney

Court Reporter:

Tiffany Ewing

I. Call to Order and Establishment of Quorum 8:30 a.m.

II. Adoption of the Agenda

A motion was made and seconded to adopt the agenda. 9-0-0.

III. Adoption of the Minutes

1. November 17, 2022
2. December 8, 2022

A motion was made and seconded to approve both sets of minutes. King/Hamblin 9-0-0.

IV. Education

1. Western Governors University (WGU) request for substantive curriculum change – Lisa Eagans MSN, RN

Lisa Eagans, Chris Hossler and Janelle Keller appeared on behalf of the program. WGU is requesting a substantive curriculum change to the Bachelor of Science Registered Nurse (BSRN) program, effective March 2023. Currently enrolled students will be migrated to the new curriculum each term. This change is being instituted at all campuses across the country and come in response to the change in AACN’s Essentials of Baccalaureate Nursing and community input. The change will also allow additional pathways into the BSRN program – traditional Pre-licensure BSN, Accelerated Second Degree BSN, LVN/LPN to BSN and Military Medic to BSN track. Course changes have been made to include DEI and the social determinants of health. Clinical hours were adjusted to conform to the new curriculum and consist of 500 hours direct patient care. Board President Kim Cooper complimented the program on the redesign of the courses and the nursing specific focus of the newly redesigned program outcomes.

A motion was made and seconded to approve the request. Morris/Hamblin 9-0-0.

2. Leffler Academy request to increase cohort size – Amanda Leffler DNP, RN

Amanda Leffler and John Gould appeared on behalf of the program. Dr. Leffler is requesting an additional 10 students per cohort with admissions in January and May. Dr. Leffler was asked to list the numbers and attrition rate for each cohort since the program began in January 2021. Education Compliance Officer Toni Herron stated that, to date, 6 graduates have tested and 6 have passed. While the program has a 100% pass rate on NCLEX, Ms. Herron stated that there appears to be a large rate of attrition of those admitted to the program. Dr. Leffler state that some of that is due to personal reasons that have nothing to do with the program itself and some are due to failure to progress. Ms. Cooper asked about tutoring resources and Dr. Leffler stated that faculty and other students, who are farther along in the program, tutor. Ms. Cooper asked about the orientation process for incoming students and Dr. Leffler state that it consisted of the first day of class. Board member Dr. Jason King asked about the interview process and the questions asked. He recommended revision to include more open ended behavior based questions that ask about previous experiences to assess how students would react in a certain situation. Dr. Leffler stated that financial concerns are the largest hurdle for applicants. Board member Angela Morris asked if community resources had been sought to support students financially. Since the program is “for profit” according to Dr. Leffler, they are not eligible for community foundation support to students.

Ms. Herron shared that a site visit was planned for January 7, 2023 to assess new construction that had been completed to enable the growth of the program. She suggested that the Board could await the results of the site visit and factor that into the decision to increase new cohort enrollment size. Ms. Cooper made a motion to table the request to increase enrollment until the results of the januaruy 2023 site visit are available. The Board will take up the matter at the January 19, 2023 ,–full board meeting. At the time, Ms. Cooper asked for the following documents to be submitted for Board review:

1. Document describing the entire admission process;
2. Template which includes the agenda for information sessions;
3. A copy of the current waitlist for admissions; and
4. The process for tutoring students.

A motion was made and seconded to table the decision pending the January 2023 site visit results. Cooper/King 9-0-0.

3. Fortis College monthly report and appearance – Kristy Schoen MSN, RN

Kristy Schoen and Dr. Melvin Bolden appeared on behalf of the Program. Ms. Schoen reported that the use of the Kaplan predictor had been discontinued, as it had been compromised and the HESI CAT predictor put in place. It is incorporated into the last course at the end of the final trimester. This was a corporate decision that has been instituted at all campuses across the country. NCLEX results for the most recent graduates remain positive. Ms. Schoen stated that regional meetings of deans for Fortis programs has been instituted to begin to share best practices etc..

A test bank is being developed and the local faculty may edit questions and choose which ones to include. They have gone through item writing training through Nurse Tim. A food bank and Santa Shop have been started by the staff and faculty to assist the students, and it has been well received.

A motion was made and seconded to approve the report. King/Miller 9-0-0.

4. Correspondence – vaccination requirements

Ms. Herron stated that there have been several students that have appealed program decisions regarding vaccination status. Ms. Herron stated that recently a federal judge denied the request by 14 states to overturn the decision by CMS in November 2021. CMS announced that healthcare facilities that receive federal funding must ensure workers are vaccinated against the virus, while allowing for medical or religious exemptions. Ms. Herron has told programs that they must follow their policies as described in the handbook and has told students that they must follow the clinical partners requirements regarding vaccinations. If no clinical placement is available based on vaccination declination, the possibility exists that the student may not be able to complete the program.

5. Credit hour vs. CEU for APRN continuing education credit

Ms. Herron stated that previously college academic credit was not considered to fulfill the requirement for pharmacology continuing education units (CEUs) for APRN licensure. Eight (8) CEUs in pharmacology are required for each licensure two (2) year period.

ANCC follows this rule for CEU converting academic credits to contact hours:

- 1 semester credit = 15 contact hours
- 1 quarter credit = 12.5 contact hours

A motion was made and seconded to accept college credit for CEUs for college credit. Miller/Hamblin 9-0-0.

V. Discussion Items

1. OAG Report

The OAG report was given by Paul Schilling, Section Chief of Licensing Enforcement for the Medicaid Fraud Control Unit, Office of the Indiana Attorney General.

2. Indiana Center for Nursing – Kimberly Harper MS, RN, FAAN – CEO

The Indiana Center for Nursing was given by Kimberly Harper, CEO of ICN.

3. Directors Report

- i. Rules
- ii. Surrender in lieu of discipline
- iii. Failed NCLEX procedure: The Board agreed that after three failed NCLEX attempts, on an applicant's fourth application, PLA staff will provide the NCLEX review course. Once the applicant has provided proof of completion with either a 95% predictor score or greenlight,

PLA staff will permit the applicant to test a fourth time. Subsequent applications (5th or greater) will require a personal appearance for the applicant.

4. Indiana State Nurses Assistance Program Report

The report of the Indiana State Nurses Assistance Program was given by Tracy Traut, Program Director.

5. Procedure for Board Elections
6. ALJ Scheduling for 2023

VI. Proposed Settlement Agreements

1. Meghane Asgedom
2. Raven Bennett

A motion was made and seconded to accept proposed settlements 1 & 2. Miller/Hamblin 7-0-0.

3. Terry Vessels

A motion was made and seconded to deny the proposed settlement. Cooper/Miller 7-0-0.

4. Laura McGuinness
5. Pamela Coleman
6. Jamie Lantz

A motion was made and seconded to accept proposed settlements 4, 5, 6. Hamblen/Juengst 7-0-0.

7. Danny Robinson

A motion was made and seconded to deny the proposed settlement. Cooper/Miller 6-0-0.

8. Cassandra Smith
9. Michelle Buchanan

A motion was made and seconded to approve proposed settlements 8 & 9. Gallegos/Hamblen 6-0-0.

10. Caroline Bennnett

A motion was made and seconded to accept the proposed settlement agreement. Miller/Hamblen 6-0-0.

11. Makenzy Sparks Miller/Hamblen to accept 6-0-0
12. Louise Davis Gallegos/Hamblen 6-0-0 to accept
13. Robin Hoffman – motion to accept pending a correction Cooper/Miller 6-0-0.
14. Mandy Hill to accept 6-0-0 Miller/Hamblen

VII. Petitions for Summary Suspension

VIII. Summary Suspension Renewals

1. In the Matter of the License of Jennifer Albright, 28202190A
Administrative Cause No. 2020 NB 0219
Re: Motion to Vacate Summary Suspension

DAG: Paul Schilling
Respondent: not present
Witness(es): none
Exhibit(s): none

A motion was made and seconded to grant the motion to vacate the summary suspension renewal.
Gallegos/Hamblen 7-0-0.

2. In the Matter of the License of Erin Caine, 28212908A
Administrative Cause No. 2021 NB 0132
Re: Voluntary Suspension Agreement
DAG: Whitney Cooper
Respondent: not present
Witness(es): none
Exhibit(s): none

A motion was made and seconded to allow amending of AC Miller/Hamblin 9-0-0.

A motion was made and seconded to grant the voluntary suspension agreement to renew the suspension for an addition 90 days. Miller/Cooper 7-0-0.

3. In the Matter of the License of Jodi Jackson, 27074751A
Administrative Cause No. 2022 NB 0038
Re: Voluntary Suspension Agreement
DAG: Natalie Stidd
Respondent: not present
Witness(es): none
Exhibit(s): none

A motion was made and seconded to accept the voluntary suspension agreement to renew the suspension for an additional 90 days. Hamblen/King 7-0-0.

4. In the Matter of the License of Stacy Abell, 28195783A
Administrative Cause No. 2019 NB 0335
DAG: Jeremy Weddle
Respondent: not present
Witness(es): none
Exhibit(s): none

A motion was made and seconded to renew the summary suspension for an additional 90 days.
King/Hamblen 7-0-0.

5. In the Matter of the License of Kendra Nelson, 27074837A
Administrative Cause No. 2021 NB 0111
DAG: Whitney Cooper
Respondent: not present
Witness(es): none
Exhibit(s): State's Exhibit 1 (December 2022 INSPECT)
A motion was made and seconded for 90 days King/Miller 7-0-0

6. In the Matter of the License of Jamie McCracken, 27034094A
Administrative Cause No. 2021 NB 0036
DAG: Whitney Cooper
Respondent: not present

Witness(es): none

Exhibit(s): none

A motion was made and seconded to renew the summary suspension for an additional 90 days.
Hamblen/Juengst 7-0-0.

7. In the Matter of the License of Dana Hoskinson, 28246275A
Administrative Cause No. 2022 NB 0007
DAG: Ian Mathew
Respondent: not present
Witness(es): none
Exhibit(s): none
A motion was made and seconded to renew the summary suspension for an additional 90 days.
Hamblen/Gallegos 7-0-0.
8. In the Matter of the License of Veronica Housley, 27067884A
Administrative Cause No. 2022 NB 0081
Re: Voluntary Suspension Agreement
DAG: Paul Schilling
Respondent: not present
Witness(es): none
Exhibit(s): none
A motion was made and seconded to accept the voluntary suspension agreement to renew the suspension for an additional 63 days and reset for February 16, 2023. Hamblen/O'Brien 7-0-0.
9. In the Matter of the License of Makenzy Sparks, 28250774A
Administrative Cause No. 2022 NB 0095
DAG: Alex James
Respondent: not present
Witness(es): none
Exhibit(s): none

IX. Default Hearings

1. In the Matter of the License of Melissa Coleman, 27077346A
Administrative Cause No. 2021 NB 0114
DAG: Hilary Brown
Respondent: not present
Witness(es): none
Exhibit(s): State's Exhibit A (Employee Data Sheet for Respondent), State's Exhibit B (Nursys report for Respondent), State's Exhibit C (Indiana nurse's license application), State's Exhibit D (Indiana nurse's renewal application)

A motion was made and seconded to default the Respondent. King/Hamblen 6-0-0.
A motion was made and seconded to find Respondent in violation of the 4 counts. 6-0-0
King/Hamblen.
Indefinite suspension for a minimum of 1 year of compliance in RMA or 6 months if no RMA, must complete an IPRP evaluation and enroll if recommended. \$2,000 fine (1 for each renewal fraud count). \$5 health records fee, 12 professionalism and ethics, 12 impaired nursing, 12 in med administration.
2. In the Matter of the License of Chrysanthia Cole, 27033772A
Administrative Cause No. 2020 NB 0247

DAG: Hilary Brown

Respondent: not present

Witness(es): none

Exhibit(s): State's Exhibit A (video of Respondent with patient), State's Exhibit B (Employment application for Respondent), State's Exhibit C (Emails between Respondent and OAG)

A motion was made and seconded to hold the Respondent in default. King/Miller 7-0-0.

A motion was made and seconded to find Respondent in violation. Juengst/Gallegos 6-0-1.

Aggravating factors: comments during the interview, training and her actions were in violation of training, wasn't transparent on her renewal. Indefinite suspension for a minimum of 1 year, \$1,000 fine, 6 CEUs in professionalism and ethics, 12 in critical thinking, 6 in anger management, 12 in patient abuse, \$5 health records fee.

X. Final Hearings (11:00 a.m.)

1. In the Matter of the License of Dawn Almond, 28162794A

Administrative Cause No. 2018 NB 0321

Re: Joint Stipulations of Facts and Violations

DAG: Rebekah Hammond

Respondent: present in person, comfortable proceeding without counsel

Witness(es): Respondent, Brittany Sholtis with IPRP

Exhibit(s): none

A motion was made and seconded to accept the Joint Stipulations of Facts and Violations and impose a period of indefinite suspension not to lift until she engages with IPRP, \$5 health records fee, mitigating: transparency, understanding of condition, and a focus on sobriety. Cooper/Hamblen 7-0-0.

2. In the Matter of the License of Jennifer Civitarese, 28138803A – CONTINUED

Administrative Cause No. 2018 NB 0139

3. In the Matter of the License of Louise J. Davis, 27068768A – CONTINUED/PSA

Administrative Cause No. 2020 NB 0061

4. In the Matter of the License of Michael Dietz, 28241034A

Administrative Cause No. 2020 NB 0122

DAG: Rebekah Hammond

Respondent: failed to appear

Witness(es): none

Exhibit(s): none

A motion was made and seconded to issue a notice of proposed default. Gallegos/Miller 7-0-0.

5. In the Matter of the License of Mandy Hill, 27053668A – CONTINUED/PSA

Administrative Cause No. 2019 NB 0251

6. In the Matter of the License of Robin Hoffman, 28138304A – CONTINUED/PSA

Administrative Cause No. 2020 NB 0035

7. In the Matter of the License of Jamie Lantz, 28150480A – CONTINUED/PSA

Administrative Cause No. 2018 NB 0330

8. In the Matter of the License of Cynthia Moody, 27067328A - CONTINUED

Administrative Cause No. 2022 NB 0043

9. In the Matter of the License of Krysten Reel, 27063513A - CONTINUED
Administrative Cause No. 2019 NB 0260
10. In the Matter of the License of Danny Robinson II, 28193759A – CONTINUED/PSA
Administrative Cause No. 2020 NB 0154
11. In the Matter of the License of Marjorie Hardcastle, 27065264A
Administrative Cause No. 2020 NB 0188
DAG: Rebekah Hammond
Respondent: failed to appear
Witness(es): none
Exhibit(s): none

A motion was made and seconded to issue a notice of proposed default. Hamblen/Cooper 7-0-0.

12. In the Matter of the License of Stephanie Humerickhouse, 28183298A – CONTINUED
Administrative Cause No. 2020 NB 0067

XI. Personal Appearances (Room 2 at 11:00a.m.)

Board Members Morris and Harlan-York served as ALJ for all of the below personal appearances except Brianna Lancaster (23.), who appeared before the full board.

1. Mattalynn Webb: Webb appeared for the renewal of her license. License is back to active. .11 was blood alcohol content. No one else in the vehicle. Has one more class to finish next week for her informal probation. Currently works in a lab. First time being arrested. The ALJ recommended renewing free and clear.
2. Iaisha Williams: Williams appeared for a renewal of licensure. Stating that the police officer told her to stop, and she felt that is not what was said from the officer, so she did not stop therefore the charges occurred from the officer. All charges have been finished out. First arrest and never been arrested since. Currently working at facility for the last 20 years and they are aware of what happened. Was given alternative sentencing. The ALJ recommended renewal free and clear.
3. Johnny Toles: Toles appeared for a renewal of licensure. Was fixing patient for medication. Left the room to grab medication and the resident fell. The body pillow was in different position then it normally was. He put in the paperwork about the pillow not being there. They let him go because of neglect of the patient. The bed did not have bedrails. The patient got a hematoma on his head no long-term injuries that the licensee is aware of. Has been at current employer since July of 2021 and the employer is aware with no concerns of his employment. The ALJ recommended renewing the license free and clear.
4. Brian Kitta: Kitta appeared for a pending examination application to take the NCLEX. He has already passed the NCLEX exam. He has two arrests May 2016. .2 something with a passenger. Finished all probation terms and therapy on his own. Second arrest in September of 2021. 2 years of probation and still on home detention. He has 1 year of home detention. No trouble with check ins. Has valid driver's license with no ignition lock. He has not had an ISNAP assessment. He went through Landmark Recovery IOP program. He currently works at Wildwealth certain. Its long-term care skilled nursing facility. He cares for about 18-22 patients with 6 LPNs on staff and 1 charge nurse that is usually the DON otherwise it would be an RN. The current employer is aware of the current charges. He has been

there for about 4 and half years. The ALJ recommended issuing the license on probation. Probation would follow criminal charges or ISNAP whichever is longest. Signed board orders, quarterly reports, self-report. Keep board apprised of any change in address, workplace discipline, and criminal matters. Kitta agreed to the terms of probation.

5. Jasmine Scott: Scott appeared for renewal of licensure. DUI been over a year since the incident. IOP and graduated she did 5 weeks. Victim impact panel was completed. Assessment at Methodist and community service all finished in November. Criminal trespass charge as well misdemeanor. Has been with current employer for 3-4 months. Last use of alcohol was thanksgiving. Jasmin Scott is willing to accept the terms of probation. The ALJ recommended renewing on indefinite probation with 1 year of active nursing practice. Signed board orders, quarterly reports, self-reports. Keep board apprised of workplace discipline, criminal matters, updated addresses. ISNAP evaluation.
6. Bethany Jackson - VACATED
7. Rachel Cardenas: Cardenas appeared for renewal of licensure. Got behind the wheel to follow her husband was then pulled over for driving under the influence. Victim impact panel was finished. Finished 2-day course for drugs. 30 hours of community service. Only arrest and has finished all probation terms. BAC was .15. Works at Lifecare Center at the Willows, long term, and rehab work. Her employer is aware. The ALJ recommended the license be renewed free and clear.
8. Victoria Enriquez: Enriquez appeared for renewal of licensure. She takes care of her stepdaughter sometimes and that causes the mom to try and get Victoria in trouble. Mother cannot prove the charges of neglect or what she is accusing. The therapy notes show the child is okay. Currently employed and the director of the agency is aware. The ALJ recommended renewal of the license renewed free and clear.
9. Mary Stout: Stout failed to appear. The ALJ recommended denial of the reinstatement.
10. Kristi Stepler: Stepler failed to appear. The ALJ recommended rescheduling.
11. Lucena Foreste: Foreste failed to appear. The ALJ recommended rescheduling.
12. Porscha Davis: appeared for a pending examination application. She has not tested yet. 2 prior arrests in 2003 and 2015. The second was not filed as a felony but a misdemeanor. She does not drink. Her last drink was 2015 when she last got that DUI. Currently employed as QMA. Recommend allowing to test and if she passes issue the license free and clear. Miller/King 9-0-0 to approve.
13. Julie Elsbury: Elsbury appeared for a pending examination application. Had problems with ex-husband. Money problems. Husband stated that she hit them on the water with a seadoo. Currently employed since September. Just had to do 50 hours of community service. She was able to sign the plea to say no I did not do any of this but must do community service. The agreement ends July 2023. No other previous arrests. The ALJ recommended allowing to test and if she passes issue the license free and clear.
14. Joseph Bloomer: Bloomer appeared for a pending examination application for RN application. Has positive response on the application for being terminated in 2018. Arrested and went through marriage counseling. Went through alcohol course. Been working with IU Health since. Is still currently married. No other prior incidents. No further incidents. No children in the home at the time of the incident. The ALJ recommended allowing to test and if he passes issue the license free and clear.
15. Otoniel Espinosa: Espinosa appeared for a pending examination application for RN licensure. Graduated this past March 22. Prior Arrest. Previously on probation through the physical therapy license. That has since been finished and his license is back active. Driver's license is suspended for failure to appear. The case started 3 years ago. Has not had charges for 10-15 years. The ALJ recommended allowing to test and if he passes issue the license free and clear.
16. Emma Fillenwarth: Fillenwarth appeared for a pending examination application for RN licensure. Has never tested. Positive response on application. Previous arrest. 2019. She went to establishment [prosecutor's office] for help, and she stated that they would not help her. She was arrested for trespass for failing to leave the prosecutor's office. She went upstairs and there was no one so she went back downstairs, and the facility arrested her for the incident. CPS was involved and helped her get back on track. No pending anything. Not active with CPS. Works at St. Vincent. She was offered a position

with St. Vincent. The ALJ recommended allowing Fillenwarth to test and if she passes issue the license free and clear.

17. Taylor Knox: Knox appeared for a pending examination application for RN licensure. To the NCLEX in California and passed. Because of her previous DUI it was automatic denial with CA. Finished her fines, breathalyzer in the car. Classes are done. Everything was done before she went to trial. Informal probation that will end in 2023. Currently employed at Lake County and is emergency dispatcher. The ALJ recommended issuing the license on indefinite probation. Keep the board apprised of address, employment, criminal matters. Signed board orders, quarterly reports, self-reports. ISNAP evaluation. Probation will be the length of her probationary period with CA. The applicant agreed to the terms.
18. Corinne Turner: Turner appeared for a pending examination application for LPN licensure. Was pulled over and a loose pill was found in the car. And she was arrested for controlled substance and meth. 3 arrests are in the system. She was placed on probation in April of 22. Last use of alcohol was June 21. Last substance use was June 21. Marijuana was drug of choice. Is currently in the ADAPT program through probation. Once a week for 2 hours. 8 hours in total for the month. She did substance abuse treatment December 2020 and was court ordered 10 hours of that. Gets off probation in April of 2023 and has had no problems with the probation. The ALJ recommended allowing to test and if she passes issue the license on probation. ISNAP evaluation. Signed board order, quarterly reports, self-reports. Not less than one year of active nursing practice or length of RMA whichever is longer. Keep the board updated on workplace discipline, criminal matters, addresses. The applicant agreed to the terms.
19. Crystal Potts: Potts appeared for a pending examination application for LPN licensure. 2 previous convictions in 2014 and 2017. Has had no arrests since and has been clean for about 6 years. She does prison ministry. Has completely changed her life. Currently working as a QMA with American Senior Communities. She has been agency for 2 years and hopes to stay with them. The ALJ recommended allowing to test and if she passes issue the license free and clear.
20. Jayna Mirer: Mirer appeared for a reinstatement. License expired 2003. She let the license lapse to be an at home caretaker for her kids. She had child that had health issues and passed in 2006. Recommend doing the review course, take the exam, and then once she has passed the NCLEX, refresher course with clinical component before she can practice.
21. Deborah Kaufman: Kaufman appeared for a reinstatement. License expired 2001. She just wants the title of a nurse. She does not plan on practicing. The ALJ recommended review course, test, then refresher course with a clinical component before practice.
22. Haley Boutin: Boutin is appeared for a pending endorsement application. Pending charges. Took her boyfriend's daughter to a doctor. The doctor thought she was CPS. So, they charged her with acting like a public servant. Took a plea. 30 hours of community service. Conversion charge in 2022. Currently works in long term care facility. Works under TEMP LPN. The ALJ recommended issuing the license on probation for the length of her criminal matters. Signed board order, quarterly reports, self-reports. Keep board apprised of workplace matters, criminal matters, addresses.
23. Brianna Lancaster: Lancaster appeared on a positive response on her initial application for licensure. Lancaster had been arrested for driving under the influence, but the charges were never actually filed. First and only arrest. She is currently in therapy. She graduated in September 2022 from Chamberlain University. A motion was made and seconded to allow her to test and issue the license free and clear if she passes. King/Morris 9-0-0.
24. Patricia Thornton: Thornton appeared on an examination application. She graduated from school in 1998. The ALJ recommended denial of licensure.

A motion was made and seconded to approve all of the ALJ personal appearances (1-22 & 24). Miller/King 9-0-0.

XII. Adjournment

Upcoming Board Meetings:

Date

ALJ/Full

Location

January 5, 2022
January 19, 2022

ALJ
Full

Virtual
Conference Room V