# MINUTES OF THE INDIANA STATE BOARD OF NURSING

on Thursday, March 21, 2024 at 8:30 a.m.

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

#### **Board Members Present:**

Jason King, DNP, RN Kim Cooper, MSN, RN Angela Morris, MSN, RN Julian Gallegos, PhD, RN, FNP-BC Emily Sego, DNP, RN Nancy Juengst, LPN Jessica Harlan-York, JD

#### **Advisory Counsel:**

Donald Hannah Claire Dyer

#### PLA Staff:

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

# **Court Reporter:**

Molly Fish

#### 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 with the addition of "NSCBN" under Education. Gallegos/Morris 7-0-0.

A motion was made and seconded to amend the agenda to include Cassandra King as agenda item 4 under Summary Suspension Renewals. Juengst/Sego 7-0-0.

# **III.** Adoption of the Minutes

1. Minutes of the ALJ Meeting on March 7, 2024

A motion was made and seconded to adopt the minutes. Morris/Cooper 7-0-0.

#### IV. Adoption of ALJ Recommendations

1. Adoption of the ALJ Recommendations of January 4, 2024

A motion was made and seconded to approve the ALJ recommendations. Cooper/Gallegos 7-0-0.

2. Adoption of the ALJ Recommendation from March 7, 2024

A motion was made and seconded to approve the ALJ recommendations. Morris/Cooper 7-0-0.

# V. Adoption of Recommended Orders

- 1. Jasmine Johnson
- 2. Tonya Crabtree
- 3. Thomas Meyer
- 4. Terri Tate
- 5. Melissa Martin
- 6. John Kelly
- 7. Ruth Williams

A motion was made and seconded to accept proposed settlement agreements 1-7. Gallegos/Morris 7-0-0.

#### VI. Education

1. Fortis College Monthly report – Shauna Smith DNP, MSN-Ed., RN

Shauna Smith and Tonu Smarrella appeared on behalf of the program. Education Compliance Officer Toni Herron state that the site visit for Fortis College is scheduled for April 11th and Board member Ms. Morris will accompany her. The results will be reported out at the May 16th ISBN meeting. Board member Kim Cooper made a suggestion to identify students in the faculty meeting minutes by first name and last initial to provide some anonymity for students when this information is shared in a public format. In the faculty meeting minutes, it was stated that faculty had identified answers on exams that were incorrect and did not have the ability to correct them since the exam is generated by the corporate offices. Ms. Cooper said that the process should allow the instructor to fix the problem. Ms. Cooper made a motion to accept the report as sub mitted and Board member Dr. Julian Gallegos seconded. Motion carried 7-0-0.

#### VII. Discussion Items

1. OAG Report

The report was delivered by Natalie Stidd, Deputy Attorney General with the Medicaid Fraud Control Unit.

- 2. Director's Report
  - i. Order to Show Cause Process
  - ii. Scope of Practice Opinions

The report was delivered by Nick Hart, ISBN Director.

#### 3. ISNAP Report

The report was delivered by Tracy Traut, ISNAP Program Director.

# VIII. Proposed Settlement Agreements

- 1. Chijoke Jimonu
- 2. Annique Smith
- 3. Anthony Amundson
- 4. Lisa Bolton
- 5. Brittany Garris (Baumgartner)
- 6. Emmanuel Obioha
- 7. Connie Sneed
- 8. Lisa Carwile-Hennessy
- 9. Dana Littejohn (Agreed Cease and Desist)
- 10. Kari Fuller

A motion was made and seconded to accept proposed settlement agreements 1&2. Gallegos/Juengst 7-0-0.

A motion was made and seconded to accept proposed settlement agreement 3. King/Gallegos 7-0-0.

A motion was made and seconded to accept proposed settlement agreement 4. Sego/Harlan-York 7-0-0.

A motion was made and seconded to accept proposed settlement agreement 5. Cooper recused. Gallegos/Juengst 6-0-0.

A motion was made and seconded to accept proposed settlement agreement 6. King/Cooper 7-0-0.

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

A motion was made and seconded to accept proposed settlement agreements 8-10. Cooper/Gallegos 7-0-0.

# IX. Petitions for Summary Suspension

1. In the Matter of the License of Bryan Taylor, 28204656A

Administrative Cause No. 2024 NB 0046

Re: Voluntary Suspension Agreement

DAG: Ryan Eldridge

Respondent: by counsel Lorie Brown

Witness(es): None Exhibit(s): None

A motion was made and seconded to accept the voluntary suspension agreement. Cooper/Morris 7-0-0.

2. In the Matter of the License of Deana Faris, 28204598A

Administrative Cause No. 2024 NB 0050

Re: Voluntary Suspension Agreement

DAG: Autumn Murphy

Respondent: present with counsel Bradley Keffer

Witness(es): none Exhibit(s): none

A motion was made and seconded to accept the voluntary suspension agreement. Gallegos/Harlan-York 7-0-0.

#### X. Summary Suspension Renewals

1. In the Matter of the License of Tracy Bowers, 28123007A

Administrative Cause No. 2023 NB 0141 Re: Voluntary Suspension Agreement

DAG: Rebekah Hammond Respondent: not present Witness(es): none Exhibit(s): none

A motion was made and seconded to accept the voluntary suspension agreement. Morris/Gallegos 7-0-0

2. In the Matter of the License of Clinton Cutler, 28271808A

Administrative Cause No. 2023 NB 0125

DAG: Rebekah Hammond Respondent: not present Witness(es): Brittany Sholtis

Exhibit(s): none

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

3. In the Matter of the License of Samantha Marley, 27066600A

Administrative Cause No. 2023 NB 0216

DAG: Rebekah Hammond Respondent: not present Witness(es): Abigail Rosa

Exhibit(s): none

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

4. In the Matter of the License of Cassandra King

Re: Voluntary Suspension Agreement

DAG: Ryan Eldridge Respondent: not present Witness(es): none Exhibit(s): none

A motion was made and seconded to accept the voluntary suspension agreement. Morris/Cooper 7-0-0.

# XI. Full Board Personal Appearance

1. Tia Wagner: Wagner appeared for PA based on the referral from the ALJ in September 2023. She disclosed the issues that led to her emergency suspension. Hart read the minutes from that Pa. The Board asked about her MAT treatment plan, she reported that she is in MAT but is tapering. She reported that her last relapse was 3 years ago on Norco. Applicant agreed to terms.

A motion was made and seconded to renew on probation for length of RMA, with requirement that she engage in ISNAP within 30 days, refresher course with clinical component prior to working. Narcotics

restriction, must be supervised, no supervisory roles, no home health, hospice, school nursing, signed board order, quarterly reports, keep board apprised. At least 1 year of active practice at the time petition. Gallegos/Morris 6-0-0.

#### XII. Appeals

- 1. In the Matter of the License of Jason Phillip, 28269290A CONTINUED Administrative Cause No. 2023 NB 0151
- 2. In the Matter of the License of Lateefat Bronson, 28248292A

Administrative Cause No. 2024 NB 0042

DAG: None

Respondent: present with counsel Lorie Brown

Witness(es): Respondent, Tom Walden

Exhibit(s): Numerous exhibits that were not labeled by Respondent's counsel

A motion was made to reverse the denial and renew Bronson's license free and clear. Gallegos/Morris 6-0-0.

3. In the Matter of the License of Peggy Yen, 28104982A

Administrative Cause No. 2024 NB 0047

DAG: None

Respondent: present with counsel Lorie Brown

Witness(es): Respondent

Exhibit(s): Numerous exhibits that were not labeled by Respondent's counsel

A motion was made to reverse the denial and renew Yen's license free and clear. Morris/Gallegos 6-0-0.

4. In the Matter of the License of Patricia Guzzo, 28180946A - CONTINUED Administrative Cause No. 2024 NB 0041

#### XIII. Probation Withdrawal

1. In the Matter of the License of Jhorman Moreira, 27069730A

Administrative Cause No. 2022 NB 0124

DAG: None

Respondent: present and comfortable proceeding without counsel

Witness(es): Respondent, Nick Hart with ISBN

Exhibit(s): None

A motion was made and seconded to withdraw probation. Gallegos/Sego 7-0-0.

2. In the Matter of the License of Autumn Stevenson, 28257027A

Administrative Cause No. 2020 NB 0039

DAG: None

Respondent: present and comfortable proceeding without counsel

Witness(es): Respondent, Nick Hart with ISBN

Exhibit(s): None

A motion was made and seconded to withdraw probation. Cooper/Morris 7-0-0.

3. In the Matter of the License of Kimberly Lovelady, 27052782A

Administrative Cause No. 2018 NB 0283

DAG: Jackson Yerkes

Respondent: present with counsel Lorie Brown

Witness(es): Respondent, Nicole Grunden, Jenna Miller

Exhibit(s): Respondent's Exhibits A (letters of recommendation) and B (CEs), State's Exhibit 1

(PLA affidavit)

A motion was made and seconded to withdraw probation. Sego/Harlan-York 7-0-0.

4. In the Matter of the License of Tiffany Snowden, 27051706A

Administrative Cause No. 2012 NB 0087

DAG: Rebekah Hammond

Respondent: present and comfortable proceeding without counsel

Witness(es): Respondent

Exhibit(s): State's Exhibit 1 (PLA affidavit)

A motion was made and seconded to withdraw probation. Sego/Harlan-York 6-0-0.

5. In the Matter of the License of Angela Rodman, 27051476A

Administrative Cause No. 2013 NB 0524

DAG: Ryan Eldridge

Respondent: present and comfortable proceeding without counsel

Witness(es): Respondent, Nick Hart with ISBN

Exhibit(s): None

A motion was made and seconded to withdraw probation. Harlan-York/Gallegos 6-0-0.

6. In the Matter of the License of Miranda Davenport, 27061728A-CONTINUED Administrative Cause No. 2013 NB 0524

#### XIV. Final Hearings

1. In the Matter of the License of Emily Blair, 28166707A

Administrative Cause No. 2022 NB 0083

Re: Stipulations

DAG: Autumn Murphy

Respondent: present with counsel Lorie Brown

Witness(es): Respondent, Brittany Sholtis with ISNAP

Exhibit(s): Stipulated Exhibits 1-8

A motion was made and seconded to find a positive violation but impose no discipline. Morris/King 5-0-0.

2. In the Matter of the License of Kari Fuller, 28232509A – CONTINUED/PSA Administrative Cause No. 2022 NB 0037

# XV. Orders to Show Cause (11:00am)

1. In the Matter of the License of Amy Holbert, 28168211A Administrative Cause No. 2016 NB 0341

Re: Petition to Surrender and Order to Show Cause

DAG: Ryan Eldridge

Respondent: Witness(es): Exhibit(s):

A motion was made and seconded to issue a notice of proposed dismissal on Respondent's petition to surrender due to her failure to appear along with a notice of proposed default for her failure to appear for the order to show cause. Cooper/Harlan-York 7-0-0.

2. In the Matter of the License of Vannessa Smith, 27061541A

Administrative Cause No. 2018 NB 0158

DAG: Rebekah Hammond Respondent: failed to appear

Witness(es): None Exhibit(s): None

A motion was made and seconded to grant the State's motion to dismiss. Cooper/Gallegos 7-0-0.

3. In the Matter of the License of Rachel Oaks, 27065452A

Administrative Cause No. 2017 NB 0261

DAG: Autumn Murphy Respondent: failed to appear

Witness(es): none Exhibit(s): none

A motion was made and seconded to issue notice of proposed default for Respondent's failure to appear. Gallegos/Cooper 7-0-0.

4. In the Matter of the License of Lacey Goedde, 28261256A

Administrative Cause No. 2020 NB 0145

DAG: Jackson Yerkes

Respondent: present with counsel Randy Fisher (?)

Witness(es): Abigail Rosa, Respondent

Exhibit(s): Respondent's Exhibit A, Respondent's Exhibit B, Respondent's Exhibit C,

Respondent's Exhibit D, Exhibit F

A motion was made and seconded to find that Respondent violated her order but to impose no additional sanctions – requires reengagement with ISNAP. King/Sego 6-0-0.

5. In the Matter of the License of Aimee Conley, 27063230A

Administrative Cause No. 2020 NB 0243

DAG: none

Respondent: failed to appear

Witness(es): none Exhibit(s): none

A motion was made and seconded to continue the hearing. Sego/Morris 7-0-0.

# XVI. Default Hearings

1. In the Matter of the License of Cynthia Moody, 27067328A

Administrative Cause No. 2022 NB 0043

DAG: Rebekah Hammond Respondent: Not present

Witness(es): Dr. Brianna Servus, Brittany Ulrey

Exhibit(s): State's Exhibit 1 (Consumer Complaint), State's Exhibit 2 (Respondent's

Employment Records from Parkview Health), State's Exhibit 3 (Affidavit of Dr. Brianna Servus)

A motion was made and seconded to hold Respondent in default. Morris/Gallegos 6-0-0.

A motion was made and seconded to grant the State's request to dismiss Count I of the administrative complaint. Morris/Juengst 6-0-0.

A motion was made and seconded to impose a sanction of indefinite suspension for no less than 3 years with no less than 1-year ISNAP compliance at time of reinstatement petition, engage with ISNAP and comply with any recommended RMA, permit case manager from ISNAP to communicate with ISBN and OAG, reporting requirements, 10 CEs professionalism, 10 CEs ethics, 10 CEs addiction, \$500 fine, report any terminations/resignations within 72 hours, \$5 health records fee, costs of the proceedings.

Aggravating factors: failure to participate in litigation process, diverting narcotics not just for herself but

also for others. Morris/Gallegos 6-0-0.

#### **XVII.** Personal Appearances (Rooms 1&2, 11:00 A.M.)

- 1. Elizabeth Ann Holian Elizabeth Holian is appearing for reinstatement out of practice since 10/31/1996. Recommendation to return to school or take the NCLEX.
- 2. Andrew Mason Taylor Andrew Taylor is appearing for RN application 3 OWI charges between 2020 and 2024. Applicant does not think he has a drinking problem. Recommendations complete ISAP evaluation. Probation 2 years board order signed by supervisor Quartey reports, report to the board any changes, 6 months active practice.
- 3. Natalie Robben Natalie Robben is appearing for RN and compact application. Recommendation to issue license.
- 4. Wanda Andino Wanda Andino is appearing for graduated in 2011 licensed in Puerto Rico. Recommendation Deny. Return to school.
- 5. Jacquelyn Love CONTINUED
- 6. Autumn Robertson CONTINUED
- 7. Andrea Anderson Andrea Anderson is appearing for RN application. In an abusive relationship she was arrested for troughing a lock at her partner. Recommendation to issue license.
- 8. Krishawna Thompson CONTINUED
- 9. Susan Troyer Susan Troyer is appearing for reinstatement. Expired 2009. Worked in Sudan overseas without a license. Recommendation to take the NCLEX review with 95% and pass the NCLEX waive the refresher course.
- 10. Amber Moore VACATED
- 11. Nicole Marietta Randolph No show
- 12. Brandon McCrea Brandon McCrea is appearing for RN application. KY RN probation for 3 years active practice. Treated himself for low blood sugar at work and took narcotics from work for his wife. Recommendation to issue license on probation 4 years signed board order last 24 months active practice, No supervisor roles, MMIPI evacuation. Kentucky evacuation needs to be sent to PLA and reviewed by a board member. RN refresher course.

- 13. Heather Swalley No show
- 14. Tyler Bennett VACATED
- 15. Jade Reed Jade Reed is appearing for RN application. DUI 2018 .15, 2020 DUI wrecked her vehicle .17. Recommendation ISNAP evaluation, enter in a RMA probation for 1 year active practice signed board orders.
- 16. Deidra Curry- VACATED
- 17. Melissa Frost Melissa Frost is appearing for reinstatement. Recommendation to take the refresher course.
- 18. Kimberly C Homoky Kimberly Homoky is appearing for RN application. Graduated 2013 Recommendation to Deny return to school.
- 19. Dwann Taylor No show
- 20. Joy Renee Gabbard Joy Gabbard is appearing for reinstatement expired 2010 Recommendation complete NCLEX review 95% then take the NCLEX.
- 21. Shirley Becker No show
- 22. Pamela Bournique No show
- 23. Rafael Ramires No show
- 24. Valerie Turentine Valerie Turentine is appearing for Revoked license. Recommendation to sit for the NCLEX do the review course 95%. Connect with ISAP. RMA probation for 3 years signed board orders cannot work in a home or school. Active practice for 18 months 12 months must be with the same employer. 36 hours of. ISAP must report any missed call ins no more than 12 hours a day.
- 25. Stephen Martin Ward Stephen Ward is appearing for reinstatement out of practice since 2012. NCLEX review 95% then take the NCLEX with refresher course.
- 26. Carrie Ann Stoller CONTINUED
- 27. Teri Mari Diehi Teri Diehi is appearing for reinstatement. Out of practice LPN since 2010. Probation NCLEX review NCLEX and a refresher course. Issue on probation 18 months active practice 12 months signed board.
- 28. Caleb A Schmal Caleb Schmal is appearing for renewal. OWI, possession of meth and crack cocaine on probation until July 2026. Recommendation to renew on probation, ISAP evaluation, 3-year RMA. Signed board order, on sight supervision, no home or school,
- 29. \*Michael Malone \* Michael Malone is appearing for Possession of meth 3 arrest. on probation in IL. Recommendation renew license on probation active practice 12 months, no home care, schools, or supervisor position. Enter ISAP cannot work no more than 48 hours in a week.
- 30. Pamela Yvonne Johnson No Show
- 31. Stacie Johnson No Show BON
- 32. Corie A Spurling Corie Spurling is appearing for reinstatement of RN. Out of practice since 10/31/11 Go back to school.
- 33. \*Crystal Gail Bussey \* No show Denied.
- 34. Alvi Estelita Hermoso CONTINUED
- 35. Alexis Rachelle Dickman Alexis Dickman is appearing for RN application. Possession of marijuana. Recommendation to issue license free and clear.

#### XVIII. Motion to Dismiss

1. In the Matter of the License of Jeffrey Wendling, 28210761A Administrative Cause No. 2022 NB 0042

A motion was made and seconded to grant the motion to dismiss without prejudice. Morris/Cooper 7-0-0.

# XIX. Adjournment

# **Upcoming Board Meetings:**

<u>Date</u>	<u>ALJ/Full</u>	<b>Location</b>
April 4	ALJ	Virtual
April 18	Full	Conference Room A