

MINUTES OF THE
INDIANA STATE BOARD OF NURSING

Thursday May 16, 2024
at 8:30 a.m.

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

Board Members Present:

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

Advisory Counsel:

Donald Hannah
Clarence Leatherbury

PLA Staff:

Evan Bartel
Toni Herron
Dinena Moore
Rebecca Tinsley

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. King/Gallegos 8-0-0.

III. Public Hearing for Rule Readoption, LSA Document #23-831

A motion was made and seconded to readopt the rules. Gallegos/Cooper 8-0-0.

IV. Public Hearing for Rule, LSA Document #24-114¹

PUBLIC HEARING HELD IN PERSON & THROUGH WEBEX
TO JOIN, CALL: (240) 454-0887

¹ Ms. Morris recused herself for this hearing.

or LOG ON: indiana.webex.com
MEETING CODE: 172 253 3540

The Board reviewed written comments submitted for the Public Hearing. The Board heard comments from individuals present in person and via Webex. Comments were given by:

1. Brandy Sommers
2. Natalie Calow
3. Katie Feley
4. Kele Ivey
5. Jane Friona
6. Margie Clause
7. Hope Miller

V. Adoption of the Minutes

1. Minutes of the Meeting on April 18, 2024
2. Minutes of the ALJ Meeting on May 2, 2024

A motion was made and seconded to adopt the minutes. Gallegos/Sego 7-0-0.

VI. Adoption of ALJ Recommendations

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

A motion was made and seconded to adopt the ALJ recommendations. Harlan-York/Cooper 7-0-0.

2. Adoption of the ALJ Recommendations of April 18, 2024

A motion was made and seconded to adopt the ALJ recommendations. King/Sego 7-0-0.

VII. Adoption of Recommended Orders

1. Shannon Keller
2. Teri Diehl
3. Tia Wagner - VACATED
4. Timothy Gorgei
5. Valeria Turentine
6. Zachary Bauman
7. Toresha Lewis
8. Melinda Lash
9. Kristy Walsh
10. Dana Hento
11. Bambi Hudson
12. Amber Phebus
13. Dede Davis
14. Jennifer Siert
15. Melissa Shaffer
16. Michelle Decker
17. Miranda Davenport
18. Monica Broady

19. Patricia Guzzo
20. Traci Patterson

A motion was made and seconded to adopt recommended orders 1-4. King/Gallegos 7-0-0.

A motion was made and seconded to adopt recommended order 5. Miller/King 7-0-0.

A motion was made and seconded to adopt recommended order 6. King/Cooper 7-0-0.

A motion was made and seconded to adopt recommended orders 7-20. King/Sego 7-0-0.

VIII. Education

1. Butler University Intent to Open Traditional BSN program site visit report – Seth Carey DNP, MSN Ed., RN

Dr. Seth Carey, Dr. Bob Soltis, Dr. Stephanie Hinshaw and Dr. Jennifer Snyder appeared on behalf of the program. Education Compliance Officer Toni Herron stated that Butler was appearing to request initial accreditation of a 4-year, traditional BSN pre-licensure nursing education program. Ms. Herron complimented the program on the extensive planning and collaboration among community partners and academic resources to create this program. There are a wide variety of clinical experiences planned and a wealth of resources on campus for student assistance, if necessary. Butler is requesting a larger than usual initial cohort. They are requesting a cohort of 48 students to begin the program in August 2025. There is adequate space on campus to accommodate that number and an expansion of the facilities is already in progress. The number of adequate faculty is not a concern as Butler has received 17 applications for the 2 open faculty positions. After discussion, the Board voted to approve an initial cohort of 48 students to be admitted once annually until the first cohort graduates, and Butler can petition for full accreditation at that time. A motion was made and seconded to approve. Gallegos/Cooper 6-0-0.

2. Fortis College Accreditation site visit report - Shauna Smith DNP, MSN, RN

Ms. Cooper mentioned that she had researched the history of the Wonderlic and was curious why it was chosen as a part of the admission evaluation. Mr. Smarrella said that it was just an inventory of academic readiness which allowed the applicant to progress and take the HesiA2 admission exam. An admission GPA has been established of 2.1 for admission. Interviews with financial aid, the campus president and the admission committee follow.

Discussion followed regarding the amount and type of clinical experience versus simulation. It appeared that up to 50% of clinical hours could be substituted for simulation, in an environment where the simulation equipment was mostly out of date. Dr. Smith clarified that their current mannikin was high fidelity, but faculty were not trained on it. Mr. Smarrella stated that a birthing simulator is on order to support that clinical experience. He stated that training for faculty on the equipment was being scheduled.

Challenges with adequate faculty staffing were mentioned. Competitive pay is an issue, in addition to the availability of qualified instructors. There has been a fair amount of turnover but the faculty currently on board have been there for some time.

Board counsel, Donald Hannah, stated that the next step following the site visit report would be to determine the accreditation status, whether to move to conditional accreditation. This change would require additional stipulations and a time frame to be decided.

Ms. Miller made a motion to immediately move Fortis College to conditional accreditation not to be lifted for 2 full calendar years. Admission would be cut to half the current cohort size so 40 per year, divided as the program decides. Meeting the 80% pass rate annually for NCLEX for two (2) consecutive years would be required before the change in accreditation status could be discussed. If drastic improvement in NCLEX results is noted in a calendar year, an increase in the number of admissions could be requested.

Within 30 days, a listing of each clinical course, where it is held, total number of hours, how those hours are spent, including simulation, observation and shadowing. Within 30 days, a listing of all faculty – total number of hours spent teaching, tutoring, and office hours.

Within 30 days, a copy of all messaging sent to students about the change in accreditation and a copy of the statement that is being made public to their prospective students and placed on their website. Also, a copy of test plans for each course – how the client categories are being tied into those elements. Also, within 30 days, a breakdown of content for Nur-210 with specific assignments.

Within 90 days, a listing of all equipment purchases and their status (delivered / in process etc.) Provide a resume for anyone hired and notice of any resignations – faculty or staff. Monthly written reports will continue and an in person appearance at the August 2024 meeting will be scheduled.

Ms. Morris made a motion to accept the Board’s recommendations and Ms. Cooper seconded. Motion carried 8-0-0.

IX. Discussion Items

1. OAG Report

Amanda Cassidy, Section Chief of the Medicaid Fraud Control Unit, gave the report.

2. Director’s Report
i. Scope of practice opinions

Evan Bartel, Deputy Director/General Counsel for PLA, gave the report.

3. ISNAP Report

Brittany Sholtis, ISNAP Case Manager, gave the report.

4. CAPNI Report

Caitlin Crouse gave the report.

X. Proposed Settlement Agreements

1. Jennifer Gravel
2. Sherry Chalfant
3. Isiah Scott
4. Lorraine Marsh

5. Ashley Binegar
6. Martinique Hall
7. Shauntai Bradford
8. Daisy Shoemaker
9. Whitney Norman

A motion was made and seconded to approve proposed settlement agreements 1 & 3-6. Cooper/King 7-0-0.

A motion was made and seconded to deny proposed settlement agreement 2. Cooper/King 7-0-0.

A motion was made and seconded to approve settlement agreements 7-9. Gallegos/Harlan-York 7-0-0.

XI. Petition to Surrender (10:30 a.m.)

1. In the Matter of the License of Crystal McCrary, 28117395A
Administrative Cause No. 2022 NB 0052
DAG: Hilary Brown
Respondent: present by counsel Lorie Brown
Witness(es): None
Exhibit(s): None

A motion was made and seconded to deny Respondent's petition to surrender. King/Cooper 8-0-0.

XII. Petitions for Summary Suspension

1. In the Matter of the License of Thomas Parkes, 28202678A
Administrative Cause No. 202405-NUR-0083
DAG: Jackson Yerkes
Respondent: present and comfortable proceeding without counsel
Witness(es): Respondent, Mackenzi Terri
Exhibit(s): State's Exhibit 1 (Criminal records for Respondent), State's Exhibit 2 (Criminal records for Respondent), Respondent's Exhibit A (Plea Agreement), Respondent's Exhibit C (Photograph of hand), Respondent's Exhibit D (BDSM Contract), Respondent's Exhibit E (Photographs of Respondent's arrest), Respondent's Exhibit F (Photographs of Respondent's arrest), Respondent's Exhibit G (BACtrack monitoring report for Respondent), Respondent's Exhibit H (Letter from Bayou Family Health Center), Respondent's Exhibit I (Affidavit of Lindsey Parkes)

A motion was made and seconded to summarily suspend Respondent's license for 90 days. Morris/Gallegos 7-0-0.

2. In the Matter of the License of Peter Kinuthia, 27067973A
Administrative Cause No. 202405-NUR-0084
DAG: Jackson Yerkes
Respondent: present and comfortable proceeding without counsel
Witness(es): Respondent, Mackenzi Terri, Brittany Sholtis with ISNAP
Exhibit(s): State's Exhibit 1 (Criminal records for Respondent), State's Exhibit 2 (Incident report), State's Exhibit 3 (Police affidavit relating to Respondent)

A motion was made and seconded to summarily suspend Respondent's license for 90 days. Cooper/Gallegos 8-0-0.

3. In the Matter of the License of Melissa Grier, 26NP07370700
Administrative Cause No. 202405-NUR-0086

Re: Voluntary Suspension Agreement
DAG: Whitney Cooper
Respondent: Not present
Witness(es): None
Exhibit(s): None

A motion was made and seconded to accept the voluntary summary suspension agreement and suspend Respondent's license for 90 days.

XIII. Summary Suspension Renewals

1. In the Matter of the License of Miranda Kahn, 28212459A
Administrative Cause No. 2023 NB 0024
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 summary suspension agreement and renew the suspension on Respondent's license for 91 days. King/Gallegos 8-0-0.

2. In the Matter of the License of Erin Caine, 28212908A
Administrative Cause No. 2021 NB 0132
DAG: Whitney Cooper
Respondent: Not present
Witness(es): None
Exhibit(s): None

A motion was made and seconded to renew the summary suspension for 90 days. Morris/Harlan-York 8-0-0.

3. In the Matter of the License of Cassandra Bass, 28090450A
Administrative Cause No. 2023 NB 0071
DAG: Autumn Murphy
Respondent: Not present
Witness(es): Brittany Sholtis with ISNAP
Exhibit(s): None

A motion was made and seconded to renew the summary suspension for 90 days. King/Harlan-York 8-0-0.

4. 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 grant the State's motion to vacate the summary suspension due to Respondent's license expiration. King/Gallegos 7-0-0.

5. In the Matter of the License of Amanda Murchie, 27064722A
Administrative Cause No. 2016 NB 0381

DAG: AJ Holbrook
Respondent: Not present
Witness(es): Dusty Dawkins with ISNAP
Exhibit(s): State's Exhibit 1 (Criminal records for Respondent), State's Exhibit 2 (Sentencing Order for Respondent)

A motion was made and seconded to renew the summary suspension on Respondent's license for 90 days. Cooper/Sego 8-0-0.

6. 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): None

A motion was made and seconded to renew the summary suspension on Respondent's license for 90 days. King/Cooper 8-0-0.

7. 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 summary suspension agreement and renew the suspension on Respondent's license for 91 days. Morris/Cooper 8-0-0.

8. In the Matter of the License of Jennifer Wilson, 28094839A
Administrative Cause No. 2023 NB 0096
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 summary suspension agreement and renew the suspension on Respondent's license for 91 days. King/Harlan-York 8-0-0.

XIV. Final Hearings (10:30 a.m.)

1. In the Matter of the License of Crystal Reed, 28180543A
Administrative Cause No. 2022 NB 0050
DAG: Whitney Cooper
Respondent: Not present
Witness(es): None
Exhibit(s): None

A motion was made and seconded to issue a notice of proposed default for Respondent's failure to appear. King/Morris 8-0-0.

2. In the Matter of the License of Daisy Shoemaker, 28164115A – CONTINUED/PSA
Administrative Cause No. 2022 NB 0141
3. In the Matter of the License of Shauntai Bradford, 27062891A – CONTINUED/PSA
Administrative Cause No. 2022 NB 0130
4. In the Matter of the License of Virginia Glenn, 28131565A – CONTINUED
Administrative Cause No. 2021 NB 0170
5. In the Matter of the License of Whitney Norman, 28217910A – CONTINUED/PSA
Administrative Cause No. 2019 NB 0303

XV. Probation Withdrawal (1:00 p.m.)

1. In the Matter of the License of Jerrica Starkey, 28205329A
Administrative Cause No. 2021 NB 0169
DAG: Jackson Yerkes
Respondent: present and comfortable proceeding without counsel
Witness(es): Alyssa Hamilton with ISNAP
Exhibit(s): State's Exhibit 1 (IPLA Affidavit)

A motion was made and seconded to withdraw probation. Gallegos/Morris 8-0-0.

2. In the Matter of the License of Melissa Anthony, 28185590A
Administrative Cause No. 2022 NB 0036
DAG: None
Respondent: present and comfortable proceeding without counsel
Witness(es): None
Exhibit(s): Petitioner's Exhibit 1 (Quarterly reports)

A motion was made and seconded to withdraw probation. King/Cooper 8-0-0.

3. In the Matter of the License of Lisa Helmerich, 28089995A – CONTINUED
Administrative Cause No. 2019 NB 0310

XVI. Order to Show Cause (1:00 pm.)

1. In the Matter of the License of Amanda Murchie, 27074722A
Administrative Cause No. 2016 NB 0381
DAG: AJ Holbrook
Respondent: Not present
Witness(es): None
Exhibit(s): None

A motion was made and seconded to issue a notice of proposed default for Respondent's failure to appear. King/Morris 8-0-0.

XVII. Personal Appearances (conducted by ALJ Kim Cooper)

1. David Fuchs: Failed to appear. Reschedule.
2. Victoria Halsey - VACATED
3. Ladonna Reed: Reed appeared for an initial application with a graduation date in 2008. She indicated that she has had 2 strokes in that time and that her son was murdered. She reported that she has been in health care for 27 years. The ALJ recommended denial of the application with a suggestion that Reed return to school.
4. Erica Andreae: Andreae appeared for a positive response on her initial application. She requested to reinstate her license to go back to school. She held a Michigan license but let it lapse due to going to school and raising children. Last time she worked as a nurse was 20 years ago. She was arrested for OWI in 2017 but the conviction has since been expunged. She reported being sober for 3 years and indicated that she has a strong support system. Recommendation to full board that applicant complete the review course with predictor score (has green light or 95 percent) then take NCLEX then refresher course with clinical component.
5. Emily Weber-Brokke: Failed to appear. Reschedule.
6. Angella Farris – VACATED
7. Nathan Lacy: Lacy appeared with counsel Matt Branich for a renewal application with a positive response. The positive response related to a wreck where Lacy ran into a motorcyclist. BAC was over the legal limit and Lacy entered into an agreement for 6 years prison time and 2 years of probation. Probation ends in 2025. The ALJ recommended renewal with referral of a consumer complaint. Lacy waived the 15 day notice period. A motion was made and seconded before the full board on May 16, 2024 to approve the recommendation. Morris/Gallegos 8-0-0.
8. Christine Badru: Badru appeared for an initial application with 4 failed NCLEX attempts. Badru took the NCLEX review course in 2017. She reported that she had a health issue with her heart and a miscarriage. The ALJ recommended that Badru be required to take an NCLEX review course with predictor before being permitted to test. The ALJ indicated that she should be grandfathered in due to already being enrolled in an NCLEX review course at the time of PA.
9. Nissa Walker: Walker appeared for an initial application with a graduation date in 2013. The only
10. Anne Leonard: This appearance occurred before the full board.
11. Chukuemeka Oluka: Failed to appear. Reschedule.
12. Carmen Sonogo: Sonogo appeared for a reinstatement application with a license that expired in 2005. She indicated that she had been managing a practice and now that the practice is going in a different direction, she would like to have the opportunity to practice as a nurse. She last worked as a nurse in 2005. The ALJ recommended requiring Sonogo to go back to school or complete NCLEX review with predictor, take and pass NCLEX, then complete refresher course with clinical component to be reinstatement.
13. Ryan Scott: Failed to appear. Reschedule.
14. Tanisha Washington: Failed to appear. Reschedule.
15. Jordan Harris - VACATED
16. Hilary Steimel: Failed to appear. Reschedule.
17. Melissa Dillman: Failed to appear. Reschedule.
18. Brandon Durham: Failed to appear. Reschedule.
19. Rachele Herrera: Herrera appeared for a positive response on her reinstatement application with counsel Lorie Brown. She graduated in 2016 and last worked as a nurse in 2019. In 2019 she got into some trouble and her son was placed in care. She got into drugs and lost everything. She had an OWI and 2 methamphetamine related charges. Her most recent criminal case was in 2020, she will be on probation until 2029. She reported a sobriety date of November 11, 2020, and that she attends 2-3 AA and NA meetings per week. She has 2 jobs at a local factory where she has worked for 2 years. She provided reference letters from her supervisors. She is currently caring for someone with cerebral palsy, and she provided a letter of reference from that individual. The ALJ recommended to reinstate on probation until criminal matters are complete or RMA

whichever is longer - signed board order, quarterly reports, no narcotics as per ISNAP recommendation, no home health, no school, no supervisory roles first 6 months. Refresher course with clinical component before working, keep board apprised of any changes such as address - any new criminal charges etc. before coming off probation -1 year active practice.

- 20. Brittany Gauthier: Failed to appear. Reschedule.
- 21. Allison Lloyd: Lloyd appeared for a positive response on her compact license application. She reported that she was arrested due to her roommate having drugs. Lloyd withdrew the compact application until her charges are expunged.
- 22. Antoinett Walker: Failed to appear. Reschedule.
- 23. Akelia Simms - VACATED

XVIII. Adjournment

Upcoming Board Meetings:

<u>Date</u>	<u>ALJ/Full</u>	<u>Location</u>
June 6	ALJ	Virtual
June 20	Full	Conference Room B