

MINUTES OF THE
INDIANA STATE BOARD OF NURSING

Thursday October 19, 2023
at 8:30 a.m.

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

Board Members:

Kim Cooper, MSN, RN
Jessica Harlan-York, JD
Nancy Juengst, LPN
Jason King, DNP, RN
Rena Magers, LPN

Advisory Counsel:

Claire Dyer
Donald Hannah

PLA Staff:

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

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 a discussion item for “Annual Report.” King/Juengst 5-0-0.

III. Public Hearing on LSA Document # 23-43

Kim Cooper, Vice President, presided over the hearing. No public comments were received, and no one identified themselves in the audience when the call for public comments was made. A motion was made and seconded to close the hearing. King/Juengst 5-0-0.

IV. Adoption of the Minutes

1. Minutes of the Meeting on September 21, 2023

A motion was made and seconded to adopt the minutes. King/Harlan-York 5-0-0.

2. Minutes of the ALJ Meeting on October 5, 2023

A motion was made and seconded to adopt the minutes. Harlan-York/Magers 5-0-0.

V. Adoption of ALJ Recommendations

1. Adoption of the ALJ Recommendations from September 7, 2023

A motion was made and seconded to adopt the ALJ recommendations. Harlan-York/King 5-0-0.

2. Adoption of the ALJ Recommendations from September 21, 2023 (ALJ PA Recommendations)

A motion was made and seconded to adopt the ALJ recommendations. King/Harlan-York 5-0-0.

VI. Adoption of Recommended Orders

1. Candace Hiigli
2. Pamela Hartig
3. Jennifer Bergen
4. John Gross
5. Amy Leach
6. Mark Ramel
7. Jason Phillip
8. Lindsay Reich
9. Jody Still
10. Amanda Newman
11. Erin Rose

A motion was made and seconded to adopt recommended orders 1-3. Harlan-York/King 5-0-0.

A motion was made and seconded to deny recommended order 4 due to lack of the term “active practice” in the order. King/Cooper 5-0-0.

A motion was made and seconded to adopt recommended orders 5 & 6. King/Harlan-York 5-0-0.

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

A motion was made and seconded to adopt recommended order 8 & 9 Harlan-York/King 5-0-0.

A motion was made and seconded to deny recommended order 10 Harlan-York/Magers 5-0-0.

A motion was made and seconded to adopt recommended order 11 Harlan-York/King 5-0-0.

VII. Education

1. Leffler Academy site visit for Intent to Open ASN track – Amanda Leffler DNP, RN

Dr. Amanda Leffler and John Gould appeared on behalf of the program. Education Compliance Officer Toni Herron presented the findings of the site visit conducted in conjunction with the Request to Open an Associate Degree in Nursing track at Leffler Academy. Ms. Herron reported that support for presenting this program, in addition to the other programs (CNA, PN, EMT) had been made. She stated that, in speaking with current faculty, that they are eager to open this program. Students currently enrolled in the program stated that they felt that the faculty were vested in their success and wanted to see them succeed. Ms. Herron stated that the building configuration has been adjusted to accommodate this increased programming.

Ms. Herron stated that the program is proposing a unique admission plan and program length. As proposed, the program would accept either currently licensed LPN with clean and unencumbered licenses or applicants without prior healthcare licensure. The different admission paths would be designated as either RN program applicants or for licensed LPNs, a Transition program applicant. RN program applicants would need to take a TEAS admission test and score at the Proficient level for admission.

Both sets of applicants would have to complete required pre-requisite courses:

1. Anatomy and Physiology I
2. Anatomy and Physiology II
3. Microbiology
4. English Composition
5. Introduction to Psychology
6. Interpersonal Communication/Public Speaking
7. Introduction to Sociology
8. Quantitative Reasoning

Upon completion of the pre-reqs and admission, the program is proposed to require completion of the core nursing courses, in 4 quarters/12 months and earning 65 credits. Board member Kim Cooper stated that “according to 848 IAC 1-2- 17 Curriculum: registered nurse programs - The length of a full-time program shall be a minimum of two (2) academic years or its equivalent.” She stated that, as presented, this program does not fit that definition. Dr. Leffler stated that they felt that the completion of the pre-requisites of the program would satisfy the other year’s requirement. Ms. Cooper stated that since the pre-reqs are not part of the Leffler curriculum, and are not available at Leffler Academy, they cannot count towards the 2-year time frame, since students would not be considered a “Leffler student” during that time. The rule states “shall be a minimum of two academic years” which is non-negotiable. After extensive discussion, Ms. Cooper made a motion to table this Request to Open and allow Leffler Academy to investigate options that would allow the program length to meet the 2 academic year requirement. She stated this might include articulation agreements with neighboring programs that would be capable of providing the gen-ed pre-reqs, which Leffler could then accept in transfer. Board member Jason King seconded the motion. Motion carried 5-0-0. Leffler Academy may return before the Board when they have identified solutions for the program length.

2. Marian University Substantive Change Request for ABSN admission standards – Tia Bell DNP, RN-BC, CNE

Dr. Tia Bell, Dr. Christina Pepin and Dr. Denise Ferrell appeared on behalf of the program. Dr. Bell stated that Marian University is requesting approval for a substantive change to admission standards for the accelerated BSN program located at Ascension St. Vincent. Currently, applicants are required to hold a bachelor’s degree in another discipline to qualify for admission. The change requested would allow students with previous college experience, but not a degree, to have an alternative pathway to a BSN degree in an accelerated format. Students must have at least 67 transferrable credits from a regionally accredited college or university. Minimum admission requirements consist of a cumulative GPA of 2.8/4.00 in the sciences and successful completion of all pre-requisite courses with a letter grade of C or above. If these requirements are not met, applicants are still encouraged to apply. They can request a Holistic Admission Review and the application will be reviewed by the Marian University admission committee using an established rubric. Ms. Cooper state that she thought this was an opportunity for ADN graduates to have another opportunity to pursue a BSN in an accelerated format. Dr. King made a motion to approve the substantive change as presented and Board member Jessica Harlan-York seconded. Motion carried 5-0-0.

3. Ivy Tech Community College plan to suspend Medical assistant to ASN track for academic year 2024 – 2025 – Kimberly Mau DNP, MSN, RN

Dr. Mau appeared on behalf of the program. She stated that the track was originally developed at the urging of clinical partners but that the number of qualified applicants in this group had dwindled of late. The numbers will be reevaluated for the 2025 – 2026 academic year to evaluate interest. This decision would be in effect for all 6 campuses providing this track. Dr. King made a motion to approve the change and Ms. Harlan-York seconded. Motion carried 5-0-0.

4. 3rd quarter report – Ancilla College at Marian University ASN program

Ms. Herron confirmed that there is only one student remaining in the program and that the ADN program should be taught out by the end of the Spring 2024 semester. Marian University has students in progression in the BSN program on this campus currently that will continue. Ms. Harlan-York made a motion to accept the report as written and Dr. King seconded. Motion carried 5-0-0.

5. Ivy Tech Lake County Notice of Intent to decrease admissions

Dr. Mau appeared on behalf of the program. The lake County decrease in admissions is required due to lack of faculty for the program. Ms. Harlan-York made a motion to approve the decrease and Dr. King seconded 5-0-0.

6. Hondros College names Dr. Cinnamon Bell-Williams, EdD, MBA, MSN Ed, RN, NEA-BC as Director of ASN Program

VIII. Discussion Items

1. OAG Report

Paul Schilling, Section Chief of the Medicaid Fraud Control Unit, delivered the report.

2. Director's Report
3. ISNAP Report
4. ISBN Annual Report

IX. Proposed Settlement Agreements

1. Leanna McCoy: The Board was comfortable with the settlement terms that related to the criminal conduct. They were concerned about the sanction for the academic dishonesty portion. They expressed interest in the addition of a financial penalty to the letter of reprimand for each of the charged counts and pay within a defined timeframe of 180 days. A motion was made and seconded to deny the proposed settlement agreement. The Board felt there were aggravating factors: intent to deceive, has already been on probation. Harlan-York/Magers 5-0-0.
2. Paula Herr – VACATED (approved in September)
3. Scott Martin
4. Marc Lee
5. Colleen Mack -WITHDRAWN
6. Kimberly Brook
7. Erin Staten
8. Carrie Heaton
9. Melissa Copenhaver
10. Abbie Bledsoe
11. Janice Hassett
12. Caitlyn Mitchell
13. Angela Munden

14. Ryan Dennett
15. Toni Zlatic

A motion was made and seconded to approve settlement agreements 3 & 4. Harlan-York/Cooper 5-0-0.
A motion was made and seconded to grant the request to withdraw settlement agreement 5 from consideration. King/Harlan-York 5-0-0.
A motion was made and seconded to approve settlement agreements 6 & 7. Harlan-York/King 5-0-0.
A motion was made and seconded to approve settlement agreements 8 & 9. Harlan-York/King 5-0-0.
A motion was made and seconded to approve settlement agreements 10-15. Cooper/Magers 5-0-0.

X. Petitions for Summary Suspension

1. In the Matter of the License of Amara Taylor, 28188544A and 28188544C
Administrative Cause No. 2023 NB 0163
DAG: Alex James
Respondent: Failed to appear
Exhibit(s): State's Exhibit 1 (Consumer Complaint), State's Exhibit 2 (Clark County Criminal Records for Respondent), State's Exhibit 3 (Jefferson County Criminal Records for Respondent)
Witness(es): Chris Corman, Analyst with OAG

A motion was made and seconded summarily suspend Taylor's license for 90 days. Harlan-York/Juengst 5-0-0.

XI. Summary Suspension Renewals

1. In the Matter of the License of Lindsey Harlow, 28154418A
Administrative Cause No. 2023 NB 0109
DAG: Alex James
Respondent: Not present
Re: Agreement

A motion was made and seconded to accept the voluntary suspension agreement. King/Harlan-York 5-0-0.

2. In the Matter of the License of Robin Schiavone, 27060013A
Administrative Cause No. 2021 NB 0191
DAG: Whitney Cooper
Respondent: Present, comfortable proceeding without counsel
Exhibit(s): None
Witness(es): Respondent

A motion was made and seconded to renew the summary suspension for an additional 90 days based on the oral agreement for the parties. King/Juengst 5-0-0.

3. In the Matter of the License of Sarah Haag, 28179042A
Administrative Cause No. 2023 NB 0002
DAG: Alex James
Respondent: Failed to appear
Exhibit(s): None
Witness(es): None

A motion was made and seconded to renew the summary suspension. Harlan-York/Magers 5-0-0.

4. In the Matter of the License of Holly Seale, 28156964A
Administrative Cause No. 2023 NB 0008
DAG: Alex James
Respondent: Failed to appear
Exhibit(s): None
Witness(es): None

A motion was made and seconded to renew the summary suspension. King/Harlan-York 5-0-0.

5. In the Matter of the License of Trina Halloran, 27066468A
Administrative Cause No. 2023 NB 0009
DAG: Rebekah Hammond
Respondent: Failed to appear
Exhibit(s): State's Exhibit 5 (Chronological Case Summary for Respondent)
Witness(es): Brittany Sholtis with ISNAP

A motion was made and seconded to renew the summary suspension for 90 days. King/Magers 5-0-0.

6. In the Matter of the License of Whitney Bennett, 27071810A
Administrative Cause No. 2023 NB 0098
Re: Voluntary Suspension Agreement
DAG: Paul Schilling
Respondent: Not present
Exhibit(s): None
Witness(es): None

A motion was made and seconded to accept the voluntary suspension agreement to renew the suspension for 90 days. Harlan-York/Juengst 5-0-0.

XII. Order to Show Cause

1. In the Matter of the License of Robin Schiavone, 27060013A
Administrative Cause No. 2021 NB 0191
DAG: Whitney Cooper
Respondent: Present and comfortable proceeding without counsel
Exhibit(s): None
Witness(es): Respondent, Abigail Rosa with ISNAP

A motion was made and seconded to suspend Respondent's license for a minimum of 12 months, enrollment and complete compliance in ISNAP, completion of refresher course with completion date within 6 months of her petition for reinstatement, 12 CEs in addiction, 12 in professionalism. Aggravating factors: ISNAP noncompliance on initial enrollment, failure to comply with ISNAP's medication policy, Respondent's absence of transparency, Respondent's inaccurate perception of addiction, Respondent's failure to work a program. Cooper/Harlan-York 5-0-0.

XIII. Final Hearings

1. In the Matter of the License of Lindsey Boltz, 28208490A - VACATED
Administrative Cause No. 2019 NB 0187
2. In the Matter of the License of Whitney Norman, 28217910A - CONTINUED

Administrative Cause No. 2019 NB 0303

3. In the Matter of the License of Danielle Balding, 28234385A
Administrative Cause No. 2021 NB 0165
DAG: Paul Schilling
Respondent: Present, comfortable proceeding without counsel
Exhibit(s): State's Exhibits 1-10, Respondent's Exhibit A (Talley Eye Institute Surgery Schedule for Respondent)
Witness(es): OAG Investigator Vinnie Gieselman, Respondent

A motion was made and seconded to suspend Respondent's license for a minimum of 1 year, engagement and enrollment with ISNAP with minimum of 9 months of complete and total compliance with RMA, \$500 fine for records falsification, \$5 health records fee, 12 CEs documentation, 12 professionalism and ethics, 12 impaired nursing, 12 medication administration, 12 self-care and coping, MMPI-2/MMPI-3/PAI or its equivalent (from ISNAP or other provider and resulting documentation should be provided to Board) completed within 3 months of entering into RMA and comply with recommendations, cost of proceedings. Aggravating factors: unwillingness to provide testimony, denial of addiction issues, justification of her own bad acts, suspected polypharmacy issues, volume of the record, volume of suspected diversion, failure to take responsibility regarding her own recovery, use of illegal drugs. King/Cooper 5-0-0.

4. In the Matter of the License of Viginia Glenn, 28131565A - CONTINUED
Administrative Cause No. 2021 NB 0170
5. In the Matter of the License of Toni Zlatic, 28143429A – CONTINUED/PSA
Administrative Cause No. 2021 NB 0228

XIV. Default Hearings

1. In the Matter of the License of Jennifer Leasure, 27069712A
Administrative Cause No. 2022 NB 0054
DAG: Whitney Cooper
Respondent: Failed to appear
Exhibit(s): State's Exhibits 1-4
Witness(es): None

A motion was made and seconded to hold Respondent in default. King/Juengst 5-0-0.

A motion was made and seconded to revoke Respondent's license, \$5 health records fee, \$500 fine for fraudulent record keeping. Aggravating factors: length of time she's been expired, failure to engage in the litigation. Harlan-York/Magers 5-0-0.

2. In the Matter of the License of Jennifer Adams, 28252947A
Administrative Cause No. 2022 NB 0070
DAG: Paul Schilling
Respondent: Failed to appear
Exhibit(s): State's Exhibits 1-4
Witness(es): None

A motion was made and seconded to hold Respondent in default. King/Harlan-York 5-0-0.

A motion was made and seconded to revoke Respondent's license, \$5 health records fee. Aggravating factors: short period of time she was licensed when the bad acts occurred, failure to engage with litigation, volume of bad acts as alleged in the administrative complaint. King/Harlan-York.

3. In the Matter of the License of Ayanna Patterson, 27072145A
Administrative Cause No. 2018 NB 0309
DAG: Hilary Brown
Respondent: Failed to appear
Exhibit(s): State's Exhibits 1-4
Witness(es): None

A motion was made and seconded to hold Respondent in default. Harlan-York/Juengst 5-0-0.

A motion was made and seconded to revoke Respondent's license, \$1,000 fine for renewal fraud, \$500 fine for fraudulent documentation, \$5 health records fee. Aggravating factors: failure to engage, volume of record, lack of involvement in litigation, short period of time from licensure to bad acts. Harlan-York/Magers 5-0-0.

4. In the Matter of the License of Mary Jones, 27052225A
Administrative Cause No. 2020 NB 0197
DAG: Paul Schilling
Respondent: Failed to appear
Exhibit(s): State's Exhibits 1-5
Witness(es): None

A motion was made and seconded to hold Respondent in default. Magers/Harlan-York 5-0-0.

A motion was made and seconded to place Respondent on indefinite probation for a minimum of 1 year of active practice, quarterly reports, signed board orders, keep Board apprised of her/employer info, report adverse events/criminal matters, \$2,000 fine for each count of renewal fraud, 12 CEs in ethics and professionalism, 12 pharmacology, \$5 health records fee. Harlan-York/King 5-0-0.

5. In the Matter of the License of Jamie McCracken, 27034094A
Administrative Cause No. 2021 NB 0036
DAG: Whitney Cooper
Respondent: Present and comfortable proceeding without counsel
Exhibit(s): None
Witness(es): Respondent

A motion was made and seconded to set aside the notice of proposed default. King/Harlan-York 5-0-0.

6. In the Matter of the License of Lori Davis, 27040867A
Administrative Cause No. 2021 NB 0023
DAG: Whitney Cooper
Respondent: Failed to appear
Exhibit(s): State's Exhibits 1-3
Witness(es): None

A motion was made and seconded to hold Respondent in default. Magers/Harlan-York 5-0-0.

A motion was made and seconded to revoke Respondent's license, \$5 health records fee, \$1,000 fine for the patient abuse count. Aggravating factors: egregious nature of offense, failure to engage in litigation. Harlan-York/Magers 5-0-0.

7. In the Matter of the License of Emmanuel Neace, 27069980A

Administrative Cause No. 2022 NB 0049
DAG: Paul Schilling
Respondent: Failed to appear
Exhibit(s): State's Exhibits 1-6
Witness(es): None

A motion was made and seconded to hold Respondent in default. King/Juengst 5-0-0.

A motion was made and seconded to place Respondent's license on indefinite suspension for a minimum of 1 year, \$1,000 fine for renewal fraud, \$5 health records fee, \$500 fine for falsifying patient records, refresher course within 6 months of petitioning for reinstatement, Aggravating factors: failure to engage in litigation, neglect of dependent. 12 CEs documentation, 12 pharmacology, 12 in professionalism. Harlan-York/Juengst 5-0-0.

8. In the Matter of the License of Randa Rigdon, 28201884A
Administrative Cause No. 2020 NB 0248
DAG: Natalie Stidd
Respondent: Failed to appear
Exhibit(s): None
Witness(es): None

A motion was made and seconded to set aside the notice of proposed default. King/Harlan-York 5-0-0.

A motion was made and seconded to approve the proposed settlement agreement. King/Magers 5-0-0.

9. In the Matter of the License of Suzi Frye, 28246417A
Administrative Cause No. 2021 NB 0118
DAG: Gavin Hunter
Respondent: Failed to appear
Exhibit(s): State's Exhibits A, B, C, and D
Witness(es): Abigail Rosa with ISNAP, OAG Investigator Brittany Ulrey

A motion was made and seconded to hold Respondent in default. King/Juengst 5-0-0.

A motion was made and seconded to suspend Respondent's license for a minimum 1 year, engage with ISNAP and full compliance for a year, \$5 fee, costs of the proceedings. Magers/Juengst 5-0-0.

10. In the Matter of the License of Casey Taylor, 27064912A
Administrative Cause No. 2022 NB 0051
DAG: Paul Schilling
Respondent: Failed to appear
Exhibit(s): State's Exhibits 1-5
Witness(es): None

A motion was made and seconded to hold Respondent in default. King/Juengst 5-0-0.

A motion was made and seconded to revoke Respondent's license, \$5 health records fee. Magers/Harlan-York 5-0-0.

XV. Adjournment

Upcoming Board Meetings:

<u>Date</u>	<u>ALJ/Full</u>	<u>Location</u>
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November 2
November 16

ALJ
Full

Virtual
Conference Room B