

INDIANA STATE BOARD OF NURSING

**Thursday, June 15th, 2023
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
Kim Cooper, MSN, RN (Ms. Cooper left the meeting at 11:30 a.m.)
Angela Morris, RN
Jessica Harlan-York, JD
Julian Gallegos, PhD, RN, FNP-BC
Nancy Juengst, 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. Cooper/Miller 6-0-0.

III. Adoption of the Minutes

1. Minutes of the ALJ Meeting on June 1, 2023

A motion was made and seconded to approve the minutes with the addition of the names of the respective ALJs. Cooper/Miller 6-0-0.

2. Minutes of the Meeting on May 18, 2023

A motion was made and seconded to approve the minutes. Miller/Juengst 6-0-0.

IV. Adoption of ALJ Recommendations (none)

V. Adoption of Recommended Orders (none)

VI. Education

1. Ivy Tech Community College Northeast (Ft. Wayne) construction site visit report – Lindsay Adams MSN, RN

Ms. Cooper recused herself. Lindsay Adams appeared on behalf of the program. Education Compliance Officer Toni Herron stated that this visit was conducted considering the remodeling and construction done at the Ivy Tech Fort Wayne campus to provide additional lab space by repurposing the previous bursar area. Separate pods or workstations were created along the outer perimeter of the space which can be designed for a single subject and reconfigured upon demand. The remodeling also created a high-fidelity simulation suite with a control room and high fidelity mannikin. Immediately adjacent is a new debriefing room which was not previously available. A large storage area capable of containing most of the equipment and supplies used in simulation/fundamentals was also created. Program strengths include strong nursing leadership; diverse faculty; strong support from both campus and system leadership and support from clinical partners providing appropriate clinical sites for experiences. After discussion, the Board voted to approve the construction 5-0-0.

2. Fortis College monthly report - Shauna Smith, Elaine Foster and Melvin Bolden
 - i. Action Plan
 - ii. Systematic Plan of Evaluation
 - iii. Monthly report

Dr. Shauna Smith, Dr. Elaine Foster, Dr. Melvin Bolden, and Steven Harding appeared on behalf of the program. The Board agreed to consider the monthly report as separate item from the Action Plan and Systematic Plan of Evaluation. Board member Kim Cooper observed that the meeting minutes, as submitted, continue to reflect a top down approach, rather than a collaborative discussion among faculty members. She stated that the minutes do not reflect action taken, or parties responsible for outcomes. Evidence of a discussion is still is not included in the meeting minutes, even though this has been identified in previous appearances before the Board. Dr. Foster acknowledged expectations and said that they will work to provide the requested detail.

Dr. Smith introduced herself to the Board as the new Dean and explained that she had been in place for only 5 weeks. She has been in the process of evaluating the program, she has identified faculty issues such as being overworked, lacking support and resources, the need for faculty development and the opportunity necessary to improve clinical relations. She said that she is working with the Campus president (Hardin) and the Vice President of Nursing for Education Affiliates (Foster) to remedy these conditions. Board president Jennifer Miller stated that the Board is frustrated with the repeated request for corporate involvement and support for this campus, and yet nothing changes. Ms. Herron asked about the four (4) open faculty positions that were identified in the monthly report. Dr. Smith said that she had discussed with Dr. Foster options to perhaps pull faculty from other campuses to bridge the gap or other corporate resources that might be used. Ms. Cooper asked when the next admission was to occur and was told July 10. She stated that the program intended to admit a new group of students, even though that there were currently four (4) open faculty positions. Mr. Hardin stated that many of the next admits were in general education (gen ed) courses and not in nursing core courses. Fortis was asked to

provide the Board with the number of students to be admitted July 10, with a breakdown of those in general education classes and the number in nursing courses, as well as listing of faculty and the courses/sections being taught.

Ms. Herron asked for clarification about the number of students in a clinical group for the psych rotation. It appeared in the information previously submitted that thirty (30) students were there with one faculty member at the same time. Dr. Bolden stated that there were actually three separate clinical groups that were present on different days and weeks of the quarter. Ms. Cooper asked if the faculty loading for that course and clinical groups reflected one or three groups. Dr. Foster stated that corporate policy viewed those as three separate clinical groups, but Dr. Bolden stated that they were considered as one for the Indianapolis campus. Ms. Cooper asked that a copy of the corporate faculty loading policy be submitted for review at the July meeting.

Ms. Cooper asked if faculty were able to create their own exams. Dr. Bolden stated that they could adjust a certain number of questions, but they were not able to create their own exams. Dr. Foster said that the test bank questions followed the blueprint and the standardization was to ensure the blueprint was followed. Dr. Foster said that the faculty could alter some items but that national corporate test bank was the standard. Ms. Cooper stated that she has been on the record, on more than one occasion, that the use of the test bank is a problem and that test compromise would occur if the test bank remained in use. The Board's concern related to South's report that their test bank was compromised.

Dr. Foster stated that all of them were new, except for Dr. Bolden, and that they couldn't fix the problems of the past, but that they were willing to take this guidance and move forward. Dr. Foster said that current faculty weren't willing to engage in the corporate support services available, but Dr. Smith would work on faculty development. Ms. Miller stated that it was unrealistic to expect faculty to mentor new colleagues and perform adequately with workloads that were considered heavy. Ms. Cooper made a motion to accept the monthly report as submitted and Board member Angela Morris seconded. Motion carried 6-0-0.

Dr. Foster was asked who created the Systematic Plan of Evaluation (SPE) that was submitted. She stated that she did but only had five days to create and return to the Education Compliance Officer. She was asked if the Plan was specific to Indiana and she said that she went through and revised it to reflect Indiana. Ms. Cooper asked if that was the case, why was South Carolina mentioned in more than one spot. Dr. Foster stated that in her attempt to submit the Plan within the five day window, she had missed those items. Ms. Cooper made a motion, seconded by Ms. Morris, to deny the SPE and Action Plan and require it be resubmitted in time for the July meeting, with the information contained therein specific to Indiana. Motion carried 6-0-0. Denial was based on the fact that the SPE was not unique to the Indiana campus, as it contained information related to the South Carolina campus. SPE did not specifically address issues with Indiana campus.

3. FYI ONLY:

- i. Ivy Tech Community College announces the retirement of Dr. Jewel Diller as Assistant Vice President for Nursing effective 6/30/23. National search underway to name successor.
- ii. Marian University names Tia Bell DNP, RN-BC, CNE as Dean, Leighton School of Nursing effective 5/22/2023 succeeding Dr. Dorothy Gomez (CV attached)
- iii. Anderson University names Dama O'Keefe DNP, APRN, NP-c as Dean, School of Nursing, Health & Kinesiology upon the resignation of Dr. Lynn Schmidt effective 6/1/2023. (CV attached)

VII. Discussion Items

1. OAG Report
2. Directors Report
 - i. NCSBN Annual Meeting on August 16-18th, 2023
 - ii. Case Management Plan with the Office of Administrative Law Proceedings
 - iii. ISNA profiles
3. ISNAP Report

The ISNAP team delivered the report. They explained a new compliance measurement tool that assigns points to noncompliance, with a certain number of points indicating that an individual needs an addendum, and additional points meaning that they are unsuccessfully discharged.

VIII. Proposed Settlement Agreements

1. Renee Kimberling (Petition to Surrender and Proposed Settlement Agreement)

A motion was made and seconded to deny the Petition/Settlement. Cooper/Morris 6-0-0.

2. Selease Foster

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

3. Shannon Dalton

A motion was made and seconded to accept the proposed settlement agreement. Miller/Morris 5-1-0.

4. Nautyn McKay-Loescher

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

5. Leanna Sharrett

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

6. Danny Robinson

A motion was made and seconded to deny the Petition/Settlement and reset as a hearing. Tabled. **Reset for hearing due to severity of issue.**

7. Jennifer Hahn

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

8. Jennifer Cox

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

IX. Motions to Dismiss

1. Marlene Roos

A motion was made and seconded to grant the motion to dismiss. Morris/Harlan-York 6-0-0.

X. Objections to Recommended Orders

1. Deanna McAllister
DAG: n/a
Respondent: Present with counsel Lorie Brown
Witness(es): Respondent
Exhibit(s): Respondent's Exhibits A-I

A motion was made and seconded to dissolve the recommended order and issue the license free and clear. Miller/Harlan-York 5-0-0.

Mitigating factors: responsibility of Applicant, charged at time of PA but there's no open case, multiple substance use evaluations that said she had no substance use issue.

2. Christina Gullett
DAG: n/a
Respondent: Present with counsel Jenna Shives
Witness(es): Respondent
Exhibit(s): Respondent's Exhibits 1-6

A motion was made and seconded to dissolve the recommended order and issue the license free and clear. Dr. Gallegos recused himself. Harlan-York/Miller 5-0-0.

Mitigating factors: criminal probation completed on June 6, 2023, acceptance of responsibility

XI. Personal Appearances (9:30am)

1. Emily Stickan: Stickan appeared for a positive response on her initial application. Pending criminal charges related to OWI with BAC of .16 that occurred in December 2022. Currently working for Parkview and has a job for after issuance of license. Morris/Gallegos 5-0-0 to issue license free and clear and refer a complaint to OAG.
2. Kylie Campbell: Campbell appeared for a positive response on initial application. Criminal case from March 2018. Criminal case that was dismissed for possession. Miller/Juengst to issue free and clear 5-0-0.
3. Taylor Weeks: Weeks appeared for a positive response on her initial application. Criminal case for illegal consumption in 2018. And possession of marijuana in 2020 for which she received a ticket. Completed substance abused counseling and they recommended no monitoring. Currently works at IU Health and has for 2 years. Morris/Harlan-York to issue free and clear 5-0-0.
4. Kenady Hageman: Hageman appeared for a positive response on her initial application. She reported that she had a pretrial diversion for the possession of Delta 8 from December 2022 which, when tested, was positive for THC. Pretrial diversion lasts until January 2024. Harlan-York/Morris 4-1-0 to issue free and clear and it fails. Morris/Harlan-York to issue free and clear 5-0-0.
5. Katerina Yurconic: Positive response on initial application for a DUI 8 years ago. Morris/Gallegos 5-0-0 to issue free and clear.
6. Steven Meyer: Meyer appeared for a positive response on initial application. Criminal case was complete in 2013, then convicted in 2018. Pending expungement. Conviction for DUI in 2014. Meyer indicated that the DUI was during a divorce. 5-0-0 to issue free and clear.
7. Traci Lindfors: Lindfors appeared for a reinstatement application. Gallegos/Harlan-York 5-0-0 to reinstate free and clear and refer to the OAG.

8. Brittany Hudson: Hudson appeared on her application. Ms. Herron indicated that she submitted a review course completion letter from Kaplan that was believed to be inauthentic. Hudson indicated that the letter was provided for her for another Kaplan review course. Hudson indicated that the review course consisted of practice tests. Cooper indicated that the letter submitted indicated that Hudson had attended in person review courses. Cooper/Gallegos 6-0-0 to deny application.
9. Christina Naparla: Naparla appeared for a reinstatement application. License expired in 2015. She attends NA. She is sober. She has not worked as a nurse since 2014. Sober for 10 years. Reinstatement with the requirement to complete the nursing refresher course with a clinical component and reinstatement free and clear.
10. Victoria Orender - CONTINUED
11. Makenzy Brown: Brown appeared for a personal appearance on her initial application due to a positive response. She has pending charges for OWI. Gallegos/Harlan-York to issue free and clear with referral to OAG. 5-0-0.
12. Jeremy Jeffries: FTA, reschedule
13. Betina Fieffe: Fieffe appeared on an application for licensure. Graduated from Carleen Health Institute in Florida in 2018. She applied for RN, and they were not accredited for PN at that time. Carleen was maybe in teachout status at that time. She had a covid permit until expiration in May 2023. She was working in long term care. Gallegos/Miller to allow to test and issue free and clear. 5-0-0.
14. Allisa Sage: Sage appeared for a reinstatement application. Her license expired in 2013 and also had a positive response due to 2013 and 2015 possession convictions. Initial was for having Percocet that was not prescribed to her, 2nd for having darvocet. Both related to having wisdom teeth removed. 2nd criminal case she was arrested at the mall because she was intoxicated. She reported that she has cirrhosis. She reports that she doesn't have a drug or alcohol problem. She had multiple instances of driving while suspended, eventually resulted in her license being suspended/revoked. Arrested for driving while suspended 5 times. Fired for attendance issues. Morris/Miller to deny 5-0-0.
15. Mary Hoyt - CONTINUED

XII. Probation Withdrawal/Modification (11:00am)

1. In the Matter of the License of Jerry Mele, 28201528A
Administrative Cause No. 2019 NB 0301
DAG: Certified Legal Intern Carlos Montenegro, Ryan Eldridge
Respondent: Not present

A motion was made and seconded to issue a notice of proposed dismissal for Respondent's failure to appear. Harlan-York/Gallegos 5-0-0.

XIII. Petitions for Summary Suspension

1. In the Matter of the License of Lydia Gorbett, 28208482A
Administrative Cause No. 2023 NB 0041
Respondent: Not present
DAG: Whitney Cooper
Witness(es): None
Exhibit(s): State's Exhibits 1-5 (criminal records for Respondent)

A motion was made and seconded to place license on summary suspension for 90 days. Morris/Gallegos 5-0-0.

2. In the Matter of the License of Deanne Rivera-Lach, 28162321A
Administrative Cause No. 2023 NB 0105
DAG: Whitney Cooper

Re: Agreement

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

XIV. Summary Suspension Renewals

1. In the Matter of the License of Cassandra Bass, 28090450A
Administrative Cause No. 2023 NB 0071
Respondent: Not present
DAG: Autumn Murphy
Witness(es): Kristen Ushman with OAG, Brittany Sholtis with ISNAP
Exhibit(s): State's Exhibit A (Consumer Complaint), State's Exhibit B (Respondent's response to consumer complaint), State's Exhibit C (Employment Records for Respondent), State's Exhibit D (Lake County Criminal Records for Respondent), State's Exhibit E (Lake County Criminal Records for Respondent)

A motion was made and seconded to renew the summary suspension on Respondent's license for 90 days. Morris/Juengst 5-0-0.

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/Gallegos 5-0-0.

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

A motion was made and seconded to accept the voluntary suspension agreement for an additional 90 days. Gallegos/Morris 5-0-0.

4. 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 (Respondent's INSPECT report)

A motion was made and seconded to renew the summary suspension for an additional 90 days. Morris/Harlan-York 5-0-0. (File CC against prescriber in Respondent's INSPECT report).

5. In the Matter of the License of Stacy Abell, 28195783A
Administrative Cause No. 2019 NB 0035

DAG: Gavin Hunter
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. Morris/Miller 5-0-0.

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. Morris/Juengst 5-0-0.

XV. Final Hearings (11:00am)

1. In the Matter of the License of Danny Robinson, 28193759A – CONTINUED/PSA
Administrative Cause No. 2020 NB 0154
2. In the Matter of the License of Jennifer Cox, 27064424A – CONTINUED/PSA
Administrative Cause No. 2022 NB 0075
3. In the Matter of the License of Jennifer Hahn, 27064384A – CONTINUED/PSA
Administrative Cause No. 2019 NB 0254
4. In the Matter of the License of Jessica Fultz, 27063384A, 28196159A
Administrative Cause No. 2022 NB 0046
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. Morris/Harlan-York 5-0-0.

5. In the Matter of the License of Lauren Strauss, 27057111A
Administrative Cause No. 2020 NB 0160
DAG: Rebekah Hammond
Respondent: Not present
Witness(es): None
Exhibit(s): None

A motion was made and seconded to issue a notice of proposed default. Morris/Harlan-York 5-0-0.

6. In the Matter of the License of Mendy Lutz, 28220453A
Administrative Cause No. 2022 NB 0059
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. Morris/Miller 5-0-0.

XVI. Adjournment

Upcoming Board Meetings:

<u>Date</u>	<u>ALJ/Full</u>	<u>Location</u>
July 6	ALJ (Jason)	Virtual
July 20	Full	Conference Room B