INDIANA STATE BOARD OF NURSING
Thursday, December 16, 2010
Indiana Government Center-South
302 West Washington Street
Indianapolis, Indiana 46204

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Mr. Burghduff called the meeting to order at 8:30 a.m. in the Auditorium of the Indiana Government Center South Building, 302 West Washington Street, Indianapolis, Indiana 46204. Due to a lack of quorum of appointed Board Members present to conduct official business in accordance with IC § 25-23-1-5(b), the Board Members present conducted all business, unless otherwise noted, in the capacity of Board appointed Administrative Law Judges.

Board Members Present:
Jerry Burghduff, L.P.N., President
Lynda Narwold, R.N., Vice-President
Marcia Laux, R.N., Member
Regina Haight, R.N., C.N.S., Member

Board Member Absent
Stacy Henderson, LPN, Member
Connie McIntosh, R.N., Secretary
Anne Ogle, Consumer Member *
Laurel Valentino, R.N., Member
Scott Johns, R.N., C.R.N.A., Member

*Participated telephonically in Emergency Suspension hearings as noted below.

State Officials Present:
Sean Gorman, Board Director, Indiana Professional Licensing Agency
Lori Grice, Assistant Board Director, Indiana Professional Licensing Agency
Lisa Chapman, Litigation Specialist, Indiana Professional Licensing Agency
Gordon White, Nursing Board Advisory Counsel, Office of the Attorney General

II. ADOPTION OF THE AGENDA

The Board Members recommended the adoption the agenda, as amended.

III. ADOPTION OF THE MINUTES FROM THE November 18, 2010 MEETING OF THE BOARD

Action on this agenda item is continued to the January 20, 2011 Nursing Board Meeting.

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM

Chuck Lindquist, ISNAP Program Director, presented the monthly report to the Board. Mr. Lindquist informed the Board that ISNAP has, as of December 1, 2010, 581 active clients, 19 new intakes, 76 intakes in process, 31 closures in monitoring and 29 new Recovery Monitoring Agreements returned.

Mr. Lindquist addressed the attendees at the Board Meeting at the request of the Board President and described the nature of the ISNAP program, which provides monitoring and assessment / treatment referral services to nurses licensed in Indiana who meet the program's monitoring criteria.

V. EDUCATION

A. Ivy Tech ASN and PN programs statewide: Proposed curricula changes

Recommended adoption of proposed curricula changes.

C. Everest College – LPN program: Program change proposal.

Tracy Miller and Lori Ferguson appeared before members of the Indiana State Board of Nursing regarding proposed change to their admission process for the PN program.

Recommended adoption of the proposed change to the program's admission process.

PERSONAL APPEARANCES

A. Appearances by Applicants for Licensure

1. Amy Jefferson – Examination
Ms. Jefferson appeared before Members of the Board regarding her application for licensure by examination as an LPN. She reported a previous conviction for criminal conversion. The members recommended that she contact ISNAP and sign an RMA if eligible. She will be made eligible to test and be issued free and clear upon passing.

2. Christopher McLoughlin – Endorsement
Mr. McLoughlin appeared before Members of the Board regarding his application for licensure by endorsement of his Missouri license. He reports a probationary license in the State of Missouri for an incident involving diversion of a controlled substance. The members recommended that he be issued a license on a probationary status for the duration of an ISNAP RMA and compliance with the terms of his Missouri license.

3. Blair Stevens – Examination
Ms. Stevens appeared before the Board regarding her application for licensure by examination. She reported past criminal charges for minor in possession, possession of marijuana, and check fraud. The members recommended that she be permitted to test and that she contact ISNAP and be issued a probationary license for at least 3 months of compliance with an ISNAP RMA if eligible.

4. Kenya Threets – rescheduled LPN by endorsement
Ms. Threets appeared before the Board regarding her application for licensure by endorsement. She reported an arrest approximately 7 years ago for cocaine possession. She also reported several bounced checks for which she was charged with theft by deception. The members recommended that she contact ISNAP for assessment. She will be issued a probationary license for at least one year of compliance with an RMA if eligible. She has been given the opportunity to withdraw the application, which she has decided to do.

B. Appearances by Applicants for Renewal

1. Chelsea Achenbach License number: 27064162A
Ms. Achenbach appeared before the Board regarding her application for renewal as an LPN. She reported a 2010 OWI conviction. The members recommended that her license be renewed free and clear.

2. Rex Staley License number: 27018064A Canceled / renewed

3. Tracy Murphy License number: 27064018A
Ms. Murphy appeared before the Board regarding her application for renewal of licensure. She disclosed a May 2010 arrest for OWI. The members recommended that she be renewed free and clear.

4. Tovia Allen License number: 27050270A
Ms. Allen appeared before the Board regarding her application for renewal of licensure. She disclosed previous terminations from employment for documentation and medication administration errors. The members reccommended that she be renewed on probation for at least one year with the requirement that she complete at least 18 contact hours of continuing education for nurses, 6 each in the areas of documentation, medical administration, and ethics.

5. Kathy Louise Brown License number: 27054378A
Ms. Brown appeared before the Board regarding her application for renewal of licensure as an LPN. She disclosed a one time OWI conviction. The members recommended that she be renewed free and clear.

6. Crystal Kiser License number: 27062066A
Ms. Kiser appeared before the Board regarding her application for renewal of licensure as an LPN. She disclosed terminations from employment for practice issues involving documentation concerns. The members recommended that her license be renewed free and clear.

7. Nicole Hatfield License number: 27059679A
Ms. Hatfield did not appear before the Board as requested and will be rescheduled for the January 6, 2010 ALJ meeting. Rescheduled.

8. Catherine Stump License number: 27049217A
Ms. Stump did not appear before the Board as requested and will be rescheduled for the January 6, 2010 ALJ meeting.

9. Nancy Cole License number: 27058985A
Ms. Cole appearerd before members of the Board regarding her application for renewal of licensure as an LPN. She disclosed a termination from employment as an RN for disputed issues. The members recommended that she be renewed free and clear.

10. Erica Stone License number: 27056927A
Ms. Stone appered before members of the Board regarding her application for renewal of licensure as an LPN. She disclosed a 2010 felony conviction for forgery regarding fraudulent checks. The members recommendced that she be renewed on a probationary license for at least the duration of her criminal probation with quarterly employer reports.

11. Ashley Woods License number: 27058319A **Reschedule to Jan 21**

12. Pamela Quakenbush License number: 27035921A
Ms. Quakenbush appeared before members of the Board regarding her applica tion for renewal of licensure as an LPN. She disclosed a conviction for shoplifting in an incident involving her daughter. The members recommended that she be renewed free and clear.

13. Holly Wright License number: 27054898
Ms. Wright did not appear before the Board as requested and will be rescheduled for the January 6, 2010 ALJ meeting.

14. Nancy Kiefer License number: 27032961A
Ms. Kiefer appeared before the members of the Board regarding her application for renewal of licensure as an LPN. She disclosed an ongoing investigation by the AG's office of a consumer complaint. The members recommended that the matter be referred back to the AG's office to complete their investigation.

15. Allen Lahrman License number: 27053031A
Mr. Lahrman appeared before the members of the Board regarding his application for renewal of licensure as an LPN. He reported a 2010 conviction for Public Intoxication and a separate arrest and pending charge for OWI. The members recommended that he contact ISNAP and be renewed on a probationary status for at least the duration of an ISNAP RMA, if eligible.

16. Joyce Kline License number: 27050812A
Ms. Kline appeared before the members of the Board regarding her application for renewal of licensure as an LPN. She reported that her Florida nursing license has been suspended due to a bounced check for her license application fee there. The members recommended that her license application be denied.

17. Heather Abrams License number: 27064411A
Ms. Abrams appeared before the members of the Board regarding her application for renewal of licensure as an LPN. She reported a termination for a medication error that resulted in a patient death. The matter is currently under investigation by the AG's office. The members recommended that the matter be re-refererred to the Attorney General's office for completion of their investigation.

18. Biff Guenthenspberger License number: 27038630A Requests resched. To Jan.

19. Lisa Johnston License number: 27053883A
Ms. Johnston appeared before members of the Board regarding her application for renewal of licensure as an LPN. She reported a 2010 OWI arrest and conviction. She has previous criminal convictions in the late 1990s for forgery. The members recommended that she contact ISNAP for an evaluation and that she be renewed on probation for at least 6 months of compliance with an RMA if eligible.

20. Melissa Osborn License number: 27059697A
Ms. Osborn appeared before members of the Board regarding her application for renewal of licensure as an LPN. She reported a termination from employment for practice issues. She also reports having worked on her expired license. The members recommended that her license be renewed free and clear.

21. Candice Rice License number: 27050141A
Ms. Rice appeared before members of the Board regarding her application for renewal of licensure as an LPN. She reported a criminal charge for a domestic battery incident. She reports working as a medical assistant currently. The members recommended that her license be renewed free and clear.

22. Toni Crawford License number: 27040409A
Ms. Crawford did not appear before the Board as requested and will be rescheduled for the January 6, 2010 ALJ meeting.

23. Vivian Thiel License number: 27058712A
Ms. Thiel appeared before members of the Board regarding her application for renewal of licensure as an LPN. She reported two terminations for documentation concerns. The members recommended that her license be renewed free and clear.

24. April Frandsen License number: 27042526A

Ms. Frandsen appeared before the members of the Board regarding her application for renewal of licensure as an LPN. She disclosed an ongoing investigation by the AG's office of a consumer complaint. The members recommended that the matter be referred back to the AG's office to complete their investigation.

25. Holly Shamley License number: 27055669A
Ms. Shamley appeared before the members of the Board regarding her application for renewal of licensure as an LPN. She disclosed a termination for alteration of medical records. The members recommended that her renewal application be denied.

26. Heidi Johnson License number: 27039097A Requests resched for Jan.
Ms. Johnson did not appear before the Board as requested and will be rescheduled for the January 6, 2010 ALJ meeting.

27. Diana Means License number 27056548A
Ms. Means appeared before the members of the Board regarding her application for renewal of licensure as an LPN. She disclosed a 2010 OWI conviction. She reports that this is her first offense and that she is on criminal probation. The members recommended that she contact ISNAP and sign an RMA if eligible. She will be renewed free and clear.

28. Ruth Davis License number 27046517A
Ms. Davis did not appear before the Board as requested and will be rescheduled for the January 6, 2010 ALJ meeting.

29. Pamela Majors – rescheduled License number 27039387A

30. Kelly Wallace – rescheduled License number 27058618A – Matter under investigation w/ AG's office – request to not appear and allow the AG to complete investigation.

31. Terry McComb – rescheduled License number 27035769A
Ms. McComb appeared before the Board regarding her application for licensure by renewal. She disclosed 2 OWIs. She reports that she is currently involved with ISNAP. The Board members recommended that her license be renewed free and clear.

32. Carol Infante – missed Dec. 2; sent explanation License number: 27057293A
Ms. Infante appeared before the Board regarding her application for license renewal. She disclosed 2 OWIs, the most recent resulting in a felony conviction. The members recommended that she contact ISNAP for an assessment. She will be renewed on probation for at least 6 months of compliance with an ISNAP RMA or the duration of her Criminal probation, whichever is longer.

C. Appearances by Applicants for Renewal - More Than Three Years

1. Merlene Vuckovich Hall License number: 28093895A
Ms. Hall did not appear before the Board as requested and will be rescheduled for the January 6, 2010 ALJ meeting.

2. Cassandra Vaughn License number: 28143520A
Ms. Vaughn appeared before members of the Board regarding her application for renewal of an expired license. She reported several drug related arrests since last licensed in 2007. The members recommended that she contact ISNAP for an assessment. She will be renewed on probation for at least the duration of her RMA if eligibile. She must also complete at least 24 contact hours of CE for nurses.

3. Miriam Smothers License number: 28127935A
Ms. Smothers appeared before members of the Board regarding her application for renewal of licensure. The members recommended that her renewal application be approved free and clear.

ADMINISTRATIVE HEARINGS

A. In the Matter of the License of: Irene Marie Peck, L.P.N., License No. 27050413A **CONTINUED**
Administrative Cause No. 2010 NB 120
Re: Disciplinary Hearing

B. In the Matter of the License of: Johnny Burton, R. N., License No. 28146190A **CONTINUED**
Administrative Cause No. 2010 NB 128
Re: Proposed Settlement Agreement

The parties presented a proposed settlement agreement, filed December 9, 2010, that would place Mr. Burton's license on an indefinite suspension status with the requirement that he complete anger management training and pay a $3,000

fine. The Board Members recommended adoption of the proposed settlement agreement as final disposition of the matter.

C. In the Matter of the License Renewal of: Devona Nay, L.P.N., License No. 27057528A
Administrative Cause No. 2010 NB 234
Re: Petition for Review of License Renewal Decision

Ms. Nay appeared on her request for the Board to reconsider its decision to renew her license on a probationary status in its order issued October 28, 2010. The Board Members recommended that the Order stand with the terms and conditions as they exist in the October 28, 2010 Order.

D. In the Matter of the License Application of: Stacey Bachmann
Administrative Cause No. 2010 NB 178
Re: Non Final, Interim Findings of Fact, Conclusions of Law and Order

Ms. Bachmann appeared with counsel, Mary Feldhake to request that her application for licensure be granted. The Board Members recommended that she be granted full licensure, free and clear of any conditions or discipline.

E. In the Matter of the License of: Rebecca Honzik, License No. 28181465A
Administrative Cause No. 2010 NB 193
Re: Proposed Settlement Agreement

The parties presented a proposed settlement agreement, filed with the Board on November 19, 2010, that would issue a Letter of Reprimand to Ms. Honzik and require her to complete at least 24 contact hours of continuing education for nurses and pay a $500 fine within 6 months. The Board Members recommended that the proposed settlement agreement be approved as the final disposition of the matter.

F. In the Matter of the License of: Michael Miller, L.P.N., License No. 27044831A
Administrative Cause No. 2010 NB 201
Re: Settlement/Prehearing Conference

G. In the Matter of the License of: Christina Pedigo, L.P.N., License No. 27054745A
Administrative Cause No. 2010 NB 130
Re: Settlement Conference

H. In the Matter of the License of: Darleen Davoust., License No. 28100359A
Administrative Cause No. 2010 NB 157
Re: Settlement Conference/Disciplinary Hearing

The hearing in this matter is to be rescheduled for the full January Board meeting.

I. In the Matter of the License of: Pamela Liggett, L.P.N., License No. 27060335A **CONTINUED**
Administrative Cause No. 2010 NB 154
Re: Disciplinary Hearing

J. In the Matter of the License of: Paula Watson, R.N., License No. 28126354A
Administrative Cause No. 2010 NB 172
Re: Proposed Settlement Agreement **Not Presented**

~~The parties presented a proposed settlement agreement, filed with the Board on November 19, 2010, that would place Ms. Watson's license on indefinite suspension with the requirement that she complete at least 24 contact hours of continuing education for nurses, pay a $1000 fine, and maintain at least one year of compliance with an ISNAP RMA. The Board Members recommended that the proposed settlement agreement be approved as the final disposition of the matter.~~

K. In the Matter of the License of: Jeanne Clark, R. N., License No. 28130497A
Administrative Cause No. 2010 NB 214
Re: Extension of Emergency Suspension

Parties and Counsel Present:
Respondent was present.
Darren Covington, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:
Mr. Burghduff (Hearing Officer)
Ms. Narwold
Ms. Laux
Ms. Haight
Ms. Ogle participated via teleconference call.

Case Summary and Board Action: The Board placed Respondent's license on an emergency suspension status for at least 90 days in its order issued September 23, 2010. A motion was made and seconded to extend the emergency suspension hearing on the State's complaint at the January full Board Meeting.

BURGHDUFF/NARWOLD
Motion Carried 4-0-1

L. In the Matter of the License of: Joan Sherry Podjan (Kleaveland), R.N., License No. 28104615A
Administrative Cause No. 2003 NB 0190
Re: Request to Withdraw Probation

The hearing in this matter will be continued to the April full Board Meeting.

M. In the Matter of the License of: Margaret Evans, R.N., License No. 28150144A **CONTINUED TO JAN.**
Administrative Cause No. 2009 NB 010
Re: Order to Show Cause

N. In the Matter of the License of: Harriett Lee Pennington, R.N., License No. 28113881A
Administrative Cause No. 2008 NB 104
Re: Order to Show Cause

Ms. Pennington did not appear before the Board regarding the Order to Show Cause issued by the Board on July 15, 2010. The Board Members recommended that a Notice of Proposed Default be issued to Ms. Pennington for her failure to appear as scheduled.

O. In the Matter of the License of: Teresa Fields, R. N., License No. 28145218A
Administrative Cause No. 2010 NB 105
Re: Order to Show Cause

Ms. Fields did not appear before the Board regarding the Order to Show Cause issued by the Board on December 3 2010. The Board Members recommended that a Notice of Proposed Default be issued to Ms. Fields for her failure to appear as scheduled.

The following hearings are scheduled to begin at 1:30 pm. Cases will be heard on order of arrival, with the exception of agreements, which will be heard first.

P. In the Matter of the License of: Katigan Whitlock, R.N., License No. 28128387A
Administrative Cause No. 2010 NB 185
Re: Disciplinary Hearing
Motion to Continue

Parties and Counsel Present:
Respondent was present.
David Fleishhacker, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:
Mr. Burghduff (Hearing Officer)
Ms. Narwold
Ms. Laux
Ms. Haight
Ms. Ogle participated via teleconference call.

Case Summary and Board Action: The State filled a petition for summary suspension with the Board on December 15, 2010. A motion was made and seconded to place Ms. Whitlock's license on indefinite suspension for at least 90 days.

LAUX/NARWOLD
Motion Carried 5-0-0

Q. State of Indiana v. Lee Marie Collins, R.N., License No. 28145962A
Administrative Cause No. 2004 NB 0046
Re: Order to Show Cause

Ms. Collins did not appear before the Board regarding the Order to Show Cause issued by the Board on December 3, 2010. The Board Members recommended that a Notice of Proposed Default be issued to Ms. Collins for her failure to appear as scheduled.

R. In the Matter of the License of: Rachael Henson, R.N., License No. 28192326A
Administrative Cause No. 2010 NB 145

Re: Request to Withdraw Probation

Ms. Henson did not appear before the Board regarding her request to withdraw the probationary status from her license. The Board Members recommended that a Notice of Proposed Dismissal be issued to Ms. Henson for her failure to appear.

S. In the Matter of the License of: Jill Gernon, R. N., License No. 28157033A
Administrative Cause No. 2009 NB 098
Re: Order to Show Cause

Ms. Gernon did not appear before the Board regarding the Order to Show Cause issued by the Board on December 3 2010. The Board Members recommended that a Notice of Proposed Default be issued to Ms. Gernon for her failure to appear as scheduled.

T. In the Matter of the License of: Dara Collins, R.N., License No. 28166522A
Administrative Cause No. 2010 NB 253
Re: Prehearing Conference

Ms. Collins did not appear before the Board regarding the Notince of Prehearing/Settlement Conference issued by the Board. The Board Members recommended that a Notice of Proposed Default be issued to Ms. Collins for her failure to appear as scheduled.

U. In the Matter of the License of: Teresa Carter, L.P.N., License No. 27045474A
Administrative Cause No. 2010 NB 252
Re: Prehearing Conference

Ms. Carter did not appear before the Board regarding the Notince of Prehearing/Settlement Conference issued by the Board. The Board Members recommended that a Notice of Proposed Default be issued to Ms. Carter for her failure to appear as scheduled.

V. In the Matter of the License of: Belinda Slone, L.P.N., License No. 27050918A
Administrative Cause No. 2008 NB 182
Re: Order to Show Cause
Unopposed request to continue

W. In the Matter of the License of: Dawn Getman, L.P.N., License No. 27027885A
Administrative Cause No. 2009 NB 202
Re: Request to Withdraw Probation

Ms. Getman appeared regarding her request to withdraw the probationary status from her license, imposed in the Board's Order issued on October 3, 2009. The Board Members recommend that the probationary status be withdrawn.

X. In the Matter of the License of: Christy Burk, L.P.N., License No. 27018397A
Administrative Cause No. 2009 NB 012
Re: Request to Withdraw Probation

Ms. Burk appeared regarding her request to withdraw the probationary status from her license, imposed in the Board's Order issued on February 6, 2009. Ms. Burk and Mr. Lindquist testified on behalf of Ms. Burk's request. The Board Members recommend that the probationary status be withdrawn.

Y. In the Matter of the License of: Sue D. Cardwell, R.N., License No. 28068702A
Administrative Cause No. 2010 NB 210
Re: Disciplinary Hearing

Parties and Counsel Present:
Respondent was present.
David Fleishhacker, Deputy Attorney General on behalf of the State of Indiana.
Chuck Lindquist, Witness on behalf of the State.

Participating Board Members:
Mr. Burghduff (Hearing Officer)
Ms. Narwold
Ms. Laux
Ms. Haight
Ms. Ogle participated via teleconference call.

Case Summary and Board Action: The State filled a complaint against Ms. Cardwell's license on December 2, 2010. A motion was made and seconded to extend the current summary suspension of her license.

BURGHDUFF/LAUX
Motion Carried 5-0-0

The disciplinary hearing was conducted by the physically present Board Members. The Board Members recommend that Ms. Cardwell's license be placed on an indefinite suspension status for at least one year of compliance with an ISNAP RMA.

Z. In the Matter of the License of: Tamara Chantelle Hill, L.P.N., License No. 27058621A
Administrative Cause No. 2010 NB 153
Re: Proposed Settlement Agreement **Not Presented**

~~The parties presented a proposed settlement agreement, filed with the Board on December 7, 2010, that places Ms. Hill's license on an indefinite probationary status and issues a $250 fine to be paid within 60 days. The Board Members recommend that the proposed settlement agreement be approved as final disposition of the matter.~~

X. ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS FROM DECEMBER 2, 2010 ALJ MEETING

Due to the lack of quorum sufficient to conduct official Board business, consideration of the December 2, 2010 ALJ recommendations is continued to the January 20, 2011 Full Nursing Board Meeting

XII. ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS FROM JANUARY 6, 2011 ALJ MEETING

Due to the lack of quorum sufficient to conduct official Board business, consideration of the January 6, 2011 ALJ recommendations is continued to the January 20, 2011 Full Nursing Board Meeting

XIII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Nursing adjourned at 4:00 p.m.

Jerry Burghduff, L.P.N., President — **Date** 2-17-11

Connie McIntosh, R.N., Secretary — **Date** 2-17-2011