

MINUTES OF THE
INDIANA STATE BOARD OF NURSING
ADMINISTRATIVE LAW JUDGE

will meet on
Thursday, November 07, 2024
at 8:30 a.m.

TO BE HELD THROUGH WEBEX
TO JOIN, CALL: (240) 454-0887
or LOG ON: indiana.webex.com
• **MEETING CODE: 172 253 3540**

Administrative Law Judge:

Jason King, DNP, RN

Advisory Counsel:

Claire Dyer
Jill Haddad

PLA Staff:

Audrea Racine
Kayla Perkins
Toni Herron
Erin Sutton

Court Reporter:

Maggie Patterson

I. Probation Withdrawal (8:30 a.m.)

1. In the Matter of the License of Shanell Martin, 27078960A
Administrative Cause No. 2021 NB 0180
DAG: None
Respondent: present and comfortable proceeding without counsel
Witness(es): Respondent, Audrea Racine, ISBN
Exhibit(s): None

The ALJ recommendation is to withdrawal probation.

2. In the Matter of the License of Melanie Custidiano, 28263309A
Administrative Cause No. 2020 NB 0205
DAG: None
Respondent: present and comfortable proceeding without counsel
Witness(es): Respondent, Carly Grace from ISNAP, Audrea Racine, ISBN
Exhibit(s): None

The ALJ recommendation is to withdrawal probation.

3. In the Matter of the License of Audrey Keith, 27071159A
Administrative Cause No. 2016 NB 0417
DAG: None
Respondent: present and comfortable proceeding without counsel
Witness(es): Respondent, Audrea Racine, ISBN
Exhibit(s): Respondent Ex. A, Record of Court Dismissal, Ex. B, Letter from Amanda Rains, Ex. C, Letter from Christina Reeves, Ex. D, Letter from Shelli Ross, Ex. E, Letter from Brandi Neal

The ALJ recommendation is to withdrawal probation.

4. In the Matter of the License of Kyleigh Benbow, 28266152A
Administrative Cause No. 2021 NB 0028
DAG: None
Respondent: present and comfortable proceeding without counsel
Witness(es): Respondent, Carly Grace from ISNAP, Audrea Racine, ISBN
Exhibit(s): None

The ALJ recommendation is to withdrawal probation.

5. In the Matter of the License of Norma Love, 27043892A
Administrative Cause No. 2017 NB 0313
DAG: Autumn Murphy
Respondent: present and comfortable proceeding without counsel
Witness(es): Respondent
Exhibit(s): State Ex. 1, PLA Affidavit, State Ex. 2 Letter of Completion of IPRP

The ALJ recommendation is to withdrawal probation.

II. Reinstatements

1. In the Matter of the License of Katrina Sult, 28153163A
Administrative Cause No. 2012 NB 0153
DAG: Autumn Murphy
Respondent: Respondent present with counsel, Lorie Brown
Witness(es): Respondent, Tracy Traut, ISNAP
Exhibit(s): Respondent Ex. A, Letter from Sally Hull, Ex. B, Substance Use Evaluation, Ex. C, Cert of Completion from Sigma Refresher Program, Ex. D, Receipt of fee paid, Ex E, Sigma Copies of CEUs Completed, Ex. F, Letter from Dr. Zabukovic, Ex. G-1, Copies of Drug Screens, Ex. G-2, Copies of Drug Screens, Ex. G-3, Copies of Drug Screens

The ALJ recommendation is to deny Ms. Sult's Motion to Modify her Final Order.

The ALJ recommendation is to deny Ms. Sult's reinstatement. The ALJ recommends that she should complete the additional requirements including: do an NCLEX review course with a green light or 95% predictor score, take and pass NCLEX, then complete a nursing refresher course with clinical component and she needs one year of compliance with IPRP.

2. In the Matter of the License of Heather Husband, 27043092A- CONTINUED
Administrative Cause No. 2004 NB 0136

Respondent failed to appear.

III. Personal Appearances (12:30p.m.)

1. Benny Collins- Benny is appearing for answering yes to #3 on the LPN renewal. In the explanation Collins stated, “invasion of privacy, trespassing, and criminal recklessness”. Two different criminal charges and two different dates. Had an issue with his girlfriend. Went drinking with some friends. Said friends set him up. He pulled out the gun to explain to someone why he had a gun on him. The people at the bar were scared and called the police. Those two charges are done and finished then he has pending criminal charge from getting jumped (battery) which makes it three charges. The ALJ recommends to renew free and clear and refer to the OAG.
2. Alyssa Hull-Nerad- Alyssa is appearing for answering yes to #1 on the LPN renewal. The licensee has discipline in MI that stemmed from a complaint. Probation requirements in MI. The ALJ recommendation is to place license on to indefinite probation. Signed board orders, quarterly reports, length of MI discipline, active practice, comply with Michigan order. Licensee accepts these terms.
3. Ieicia M. Taylor- Ieicia is appearing for answering yes to #3 on the LPN renewal. Ieicia was pulled over and arrested for an OWI. The case is still currently pending. She was throwing a party for her daughter. Had a few drinks. It was over .15. Employment is aware of the charges. ALJ recommends to renew on indefinite probation until criminal matter is resolved. Quarterly reports, signed board orders, comply with criminal probation, active practice for at least 6 months. Aggravating factors: BAC greater than .15. Mitigating factors: first time she has been in trouble. Licensee accepts these terms.
4. Daniela Leigh Gathright- Daniela is appearing for answering yes to #3 on the LPN renewal. Licensee was convicted of an OWI and sentenced with probation. The licensee is also currently enrolled into IPRP. Criminal Court case is finished out. On probation until May 2025. Reported to IPRP and has been in IPRP for one year. Has followed IPRP and sought out additional counseling. Attends nursing support meetings. Completed bachelor’s and working on master’s degree. Good report from IPRP. No missed check-ins and all clean drug screens. The ALJ recommendation is to renew on indefinite probation for the length of criminal probation or a minimum of one year, whichever is longer. Full compliance with IPRP. Signed board orders, quarterly reports, updated demographics/information. Active practice for at least 6 months. Mitigating factors: Ms. Trout’s testimony and licensee was forthcoming with everything. She also has one year of complete compliance with ISNAP already. Licensee accepts these terms.
5. Charlanski Bates- Charlanski is appearing for answering yes to #1 on the LPN renewal. Licensee had previous discipline in the state of MI and was placed on emergency suspension. RN license in MI. Licensee RN license personal appearance was heard in January 2024 and was referred to AG office. The ALJ recommendation is to renew the LPN license free and clear.
6. Marguerie Clements- Marguerie is appearing for answering yes to #1 on the LPN renewal. Marguerie is placed on discipline in MI until JAN 2025. Did not chart a patient fall. Also discipline in OH and has an agreement with OH. ALJ recommends to renew free and clear and refer to the OAG.

7. Lori A. Hanrahan- Failed to appear. Reschedule.
8. Christine Rogers- Rogers is appearing for answering yes to #1 and #2 on the LPN renewal. Christines license in IL is currently suspended due to not having paid state taxes. ALJ recommends to renew the license free and clear.
9. Samuel Anani-Brown Gbortsu- Samuel is appearing for answering yes to #3 on the LPN renewal. Samuel has a pending OWI case. Was out drinking but did not drink much. The court case is pending. ALJ Recommendation to renew and refer to the OAG.
10. Douglas Beitler- Douglas is appearing for answering yes to #3 and #5 on the LPN renewal. Douglas has a pending criminal case for domestic battery committed in the presence of a child less than 16 years of age. Douglas also disclosed that he was terminated due to being charged with battery. The felony is now a misdemeanor. The person tried for a protective order, and it was denied but no contact order was granted for the victim. The victim was his mother. ALJ recommendation to renew and refer to the OAG.
11. David Diethorn- David is appearing for answering yes to #3 on the LPN renewal. David was charged with intimidation: threat to commit a forcible felony. The court case has finished, and David stated he is done with all probation. David has learned his lesson and completed all criminal probation requirements. ALJ recommends to renew free and clear.
12. Misty B. Masterson- Misty is appearing for answering yes to #3 on the LPN renewal. Misty stated on the LPN renewal that she has entered into a pretrial diversion agreement. At the beginning of July, her sister moved in with her. On the fourth of July her sister went back to the ex-husbands home and then called her sister (Misty). When the police got there the sister had been drinking and Misty went to pick up her sister. A lot of chaos happened and the kids were put into Misty's car. Misty punched the ex-husband on her sister's behalf. ALJ recommendation to renew free and clear.
13. Jodie Lee Stoner- CONTINUED
14. Heather Gwaltney- Heather is appearing for answering yes to #5 on the LPN renewal. Heather worked at the Vanderburgh County Jail. Heather called for an ambulance to have an inmate transported. Heather then left her post. Heather was observed leaving the jail when the paramedics arrived. When the paramedics arrived, the inmate coded and was pronounced dead at the hospital. The ALJ recommends to renew and refer to OAG.
15. Rhonda Joy White- Rhonda is appearing for answering yes to #3 on the LPN renewal. Rhonda has three criminal charges that she received since the last renewal. 12/08/23 –Criminal Mischief (decided); 10/12/2023- Possession of Narcotic Drug (decided); 03/24/2024- Possession legend drug/possession of schedule 1-5. Rhonda was placed on 420 days of probation on 03/25/2024. ALJ recommendation to renew on indefinite probation. Engage with IPRP, for length of RMA or criminal courts which ever is longer. Signed board orders, comply with criminal probation and RMA if deemed necessary, quarterly reports, updated demographics and information, inform the board of any discipline or arrests, active practice for one year. Licensee accepts these terms.

16. Mary Ann Taylor- Mary is appearing for answering yes to #5 on the LPN renewal. Mary was terminated for a medication error. Had a hard patient that was a child. Was given a smoking household. Didn't follow the Riley calculation sheet which led to a dosage calculation error. The patient was not hurt from the error. The nurse was drug tested twice and was clean on both tests. ALJ recommends to renew free and clear.
17. Chelsea Pearson- Chelsea is appearing for answering yes to #3 on the LPN renewal. Chelsea has pending drug charges. Those charges include possession of a controlled substance, possession of marijuana, and possession of paraphernalia. The case is still pending. She was a passenger in a car that had marijuana and Adderall in the car. The driver didn't claim it so they were both charged. She is currently halfway through the diversion program. Could possibly have the charges dismissed in June of 2025. ALJ recommendation is to renew free and clear.
18. Cassandra Richelle Smith- Cassandra is appearing for answering yes to #5 on the LPN renewal. She was terminated from Bryon Wellness on 01/30/2024 for abuse allegations. Also mentioned her daughters (CNA & QMA) were also terminated and complaints were filed with the state department of health for the incident with Bryon Wellness. There was video footage, and it showed another CNA, who was not her daughters abusing the patient. State closed cases against daughters. She is in the process of suing Byron Wellness for wrongful termination. ALJ recommendation is to renew free and clear.
19. Rebecca Plaza- Rebecca did not disclose anything on the LPN renewal. Rebecca is appearing for pending felony case. Rebecca was charged with obtaining a controlled substance by fraud or deceit. A facility is stating she stole medication while on shift. She stated there is already a consumer complaint. ALJ recommendation to renew and refer to OAG.
20. Tonya Kellie Morgan- Tonya is appearing with counsel, Cynthia Marcus, for answering yes to #3 and #5 on the LPN renewal. Tonya was charged with domestic battery/ strangulation/interference with reporting of a crime. Tonya has finished all requirements. Tonya was also terminated from her job for being unfamiliar with a unit. She was charged after altercation with daughter, daughter has addiction issues, was making demands, daughter called police. She was charged after the altercation. Pretrial diversion. In July, she terminated from job after an argument with an ER nurse. ALJ recommendation renew free and clear.
21. Aubrey Alridge- Aubrey is appearing for answering yes to #3 on the LPN renewal. Aubrey was charged with an OWI on 06/03/2024. She was also charged with a schedule 1 or 2 substance/ possession of marijuana/possession of paraphernalia, but those charges were dismissed. Probation for 180 days starting 06/03/2024 for the OWI and all requirements completed. Aubrey does not smoke. She took the drugs to a friend's home. Bad timing circumstance. Not a habit for Aubrey. ALJ recommendation to renew free and clear.
22. Mahogany Carson- Mahogany is appearing for answering yes to #3 on the LPN renewal. Mahogany had an altercation with an ex-boyfriend, she hit him back, she called the police, both were arrested. Mahogany is currently in a pretrial diversion program for battery. Has completed

the violence programs she was supposed to complete. Has not gotten into any more trouble. Will complete pretrial diversion in February 2025. ALJ recommendation to renew free and clear.

23. Zina Marie Lowery- Zina is appearing for answering yes to #3 on the LPN renewal. Zina is currently on probation until November of 2024. Had incident with husband. Went drinking for a little bit and decided to drive. Was very transparent with her story. Has community service and other requirements to finish of her probation. It should be done in November of this year. ALJ recommends to renew and refer to OAG.
24. Pamela Brodt-VACATED
25. Carla Brown- Carla is appearing for the LPN by reinstatement. Previously held a license until 2020, but was denied due to pending criminal matters. Had an addiction to meth and was put in jail and is now 5 years clean and sober. Felonies were dropped down to misdemeanors. Completed community service. 12 weeks of counseling. Has not practiced since 2018. Very transparent. ALJ recommendation to reinstate the license onto indefinite probation, engagement with ISNAP, if an RMA is necessary for the length of the RMA, if not required, then probation for two (2) years with active practice for at least one (1) year. Signed board orders, quarterly reports, updated demographics. Supervised without the ability to work with narcotics for the first six (6) months of probation. No home health, no hospice, no supervisory roles, refresher course with clinical component. Licensee accepts these terms.
26. Kendall Harrell- Kendall is appearing for the LPN by examination application. Kendall graduated in 2012 from Medtech. ALJ recommendation to deny and go back to school.
27. Gladys Edwards- Gladys is appearing for the RN by examination application. Gladys graduated from MedTech 06/01/2014 and applied for license 08/13/2024. ALJ recommendation to deny and go back to school.
28. Kiristie Murry- **failed to appear. Reschedule.**
29. Vicki Reiter- Vicki is appearing for reinstatement of the RN license. The license expired in 2011, and Vicki does not hold another active nursing license. ALJ recommendation is to do an NCLEX review course with a green light or 95% predictor score, take and pass NCLEX, then complete a nursing refresher course with clinical component.