

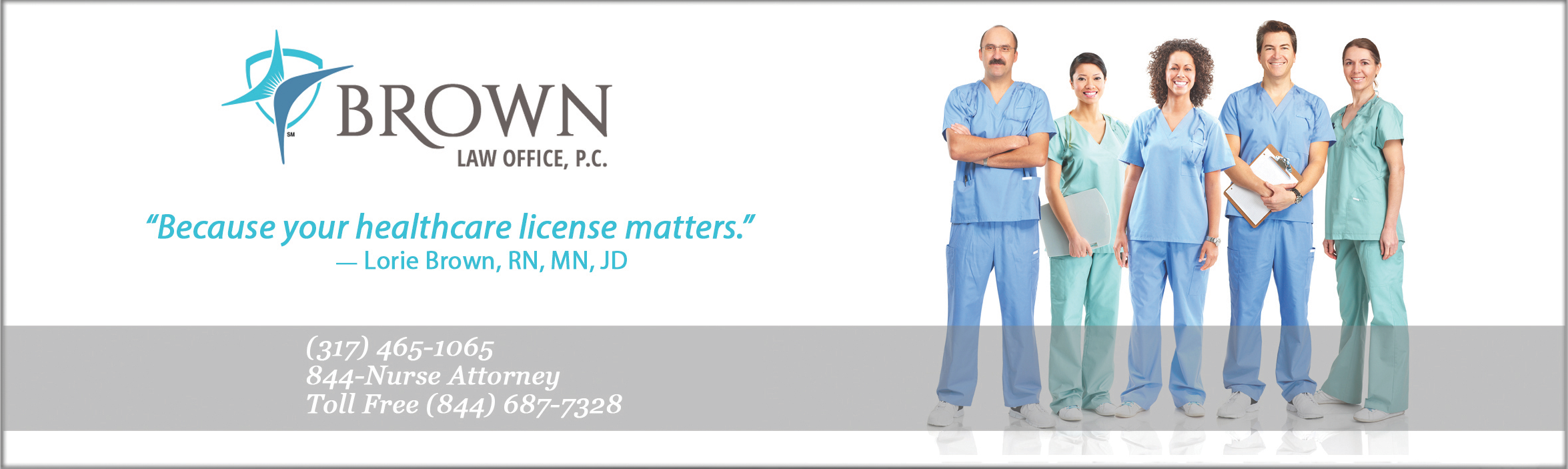
Article for Nursing Focus magazine

**WHAT HAPPENS IF I GET CALLED BEFORE THE BOARD?**

The Indiana State Board of Nursing was created by statute but the Board also has the power to promulgate rules regulating the practice of nursing. The Board is empowered to protect the citizens of the State of Indiana and not the individual nurse. If anyone in the State of Indiana has a concern about a license or registered nurse, they simply have to file a complaint with the Indiana State Board of Nursing.

The complaint is reviewed by an investigator at the Attorney General's Office for the State of Indiana. The Attorney General's Office is required to forward a copy of the complaint to the nurse. The nurse then has 20 days to respond to the complaint. If the nurse responds to the complaint himself/herself, anything in the response can be used against him/her. It is advisable that the nurse seeks the assistance of an attorney so the attorney can provide the information needed in the light most favorable to the nurse.

Once the investigator at the Attorney General's Office receives the response, the investigator can then decide whether to investigate the complaint further, recommend closing the complaint, or recommend filing charges against the nurse's license. There is no time limit in which the Attorney General's Office must either close or pursue the complaint. Therefore, these matters can sit in the Attorney General's Office for a long time. If the matter is dismissed, you will receive a letter informing you that the file has been closed. The complaint is treated as confidential and no employer can obtain this information and nothing goes against your nursing license.



However, once charges are filed, the matter becomes public record and employers, and anyone else for that matter, can obtain the information. In fact, if charges are filed against your nursing license, it is posted on the Professional Licensing Agency website found at ai.org/pla, PLA Online Services, under licensing litigation. Again, it is advisable to seek representation by an attorney who has experience practicing before the Board. The nurse then can decide if they want to resolve the matter and enter into a settlement agreement or to proceed with the matter in a hearing before the full Board.

The Board can do one of four things: (1) give you a written reprimand; (2) place your license on probation with certain conditions with which you must comply; (3) suspend your license (and you are not allowed to practice for a period of time); or (4) revoke your license (and you are not allowed to practice at all). Any of these actions will become public record. If charges are filed against your license, the Attorney General's Office feels fairly certain that it would prevail in presenting the case to the Indiana State Board of Nursing resulting in the Board taking action against your license.

Remember, your license is a privilege and not a right. To protect your license, you need to be proactive - fully inform the Board on your renewal application of any discipline that you have had in your practice as a nurse and keep the Board informed of your current address. If you receive a complaint against your license, hire an attorney who can respond truthfully to the allegations in the complaint and provide the Attorney General's Office the documentation necessary to help the investigator at the Attorney General's Office understand why charges should not be filed against your license.