

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

**KAREN FRAZIER,** )  
)  
**Plaintiff,** )  
)  
**v.** )  
)  
**BARTHOLOMEW COUNTY PUBLIC** )  
**HOSPITAL d/b/a COLUMBUS** )  
**REGIONAL HEALTH,** )  
)  
**Defendant.** )

**Case No.: 1:22-cv-457**

**COMPLAINT AND DEMAND FOR JURY TRIAL**

Karen Frazier brings this lawsuit against Bartholomew County Public Hospital d/b/a Columbus Regional Health (“CRH”) for retaliation in violation of Section 704(a) of Title VII of the Civil Rights Act of 1964 as amended, and 42 U.S.C. 2000e-3. For her Complaint, Frazier alleges the following:

**Jurisdiction And Venue**

1. Jurisdiction of this court is invoked pursuant to 28 U.S.C. §§ 451, 1331, and 1343.
2. This action is authorized and instituted pursuant to Section 704(a) of Title VII of the Civil Rights Act of 1964 as amended, and 42 U.S.C. 2000e-3
3. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the Southern District of Indiana.

**Background Facts**

4. At all times material to this Complaint, Frazier was, and she currently is, a resident of Shelby County, Indiana.

5. CRH is a health care organization located in Columbus, Bartholomew County, Indiana with more than 500 employees.
6. At all times material to this Complaint, Bill Algee was Radiology Director of CRH and a superior of Frazier, and Lisa Owens was Radiology Manager of CRH's Radiology Department and a supervisor of Frazier.
7. Frazier satisfied her requirement to exhaust administrative remedies by filing a Charge with the Equal Employment Opportunity Commission ("EEOC") as a result of CRH's retaliation against Frazier, and on December 14, 2021, the EEOC issued a Notice of Right to Sue to Frazier and Frazier now timely files this lawsuit. A copy of the Notice of Right to Sue is attached as Exhibit A.
8. Frazier has performed all conditions precedent, if any, required for the filing and pursuit of this claim for judicial relief under Title VII and its related regulations.

### **General Facts**

9. Frazier began employment with CRH in 1985 as a Staff Radiology Technologist in the Radiology Department.
10. Frazier's next position was Clinical Instructor for the Radiology Program at CRH which at that time was operated by Ivy Tech.
11. In 1992 CRH started its own radiology school/program and selected Frazier to set up and run the school/program.
12. Frazier had the CRH Radiology Program ("Program") functioning the following year, at which time she became its Program Director.
13. Frazier held the Program Director position with CRH until March 2021.

14. At all times material to this Complaint, Brian Hagan, Clinical Instructor, worked with Frazier in running the Program.

15. Frazier's position description stated that her job with CRH included the following responsibilities:

- a. Develops, coordinates, supervises, and evaluates student's education;
- b. Develops and revises course descriptions, outlines, and lesson plans;
- c. Instructs students;
- d. Directs student recruitment and selection;
- e. Maintains applicant and student records;
- f. Formulates the program's Master Plan of Education;
- g. Maintains program accreditation;
- h. Recommends program budget;
- i. Conducts ongoing review of program to determine its effectiveness.

16. During Frazier's tenure as its Director, the Program maintained a 100% completion rate, a 95% first-time pass rate for the American Registry of Radiologic Technologists exam, the national credentialing exam, and a 100% job placement rate for its graduates.

17. Since the Program began, Frazier taught a majority of the classes that it offered. Frazier was also responsible for maintaining the School's accreditation by the Joint Review Committee on Education in Radiologic Technology (JRCERT).

18. In her Director position, Frazier served as a professional educator and mentor to over 120 individuals who are now registered technologists providing medical imaging services.

19. While employed at CRH, Frazier served on the committee for the Indiana State Department of Health that dealt with reforming licensure for radiologic workers in Indiana.
20. While employed at CRH, Frazier also was a member of the American Society of Radiologic Technologists.
21. In 2009 Frazier also created the part-time Limited Licensure Program for Cardiac Catherization Personnel at CRH.

### **Radiology Program Accreditation**

22. JRCERT is the agency recognized by the United States Department of Education and the Council for Higher Education Accreditation for the accreditation of traditional and distance delivery educational programs in radiography, radiation therapy, magnetic resonance, and medical dosimetry.
23. As Program Director, Frazier was responsible for coordinating the training program in radiologic technology so that it met JRCERT national accreditation standards.
24. JRCERT accredited Programs are required to have an Advisory Committee. The CRH Program had an Advisory Committee and Frazier was a member of that Advisory Committee.
25. Frazier typically prepared Advisory Committee meeting agendas that contained items requiring action and status updates on matters previously discussed or in progress.
26. JRCERT conducts periodic site reviews of accredited programs for re-accreditation. The reviews are conducted by JRCERT site visitors.
27. Frazier has served as a JRCERT site visitor since about 2008. As a site visitor, she was and is knowledgeable about accreditation requirements and processes.

28. A JRCERT review of the Program at CRH began in December 2020 and continued into 2021.
29. Historically, the Radiology Department assigned/scheduled technologists to specific exam rooms or areas. It is a generally accepted industry standard to ensure 1:1 supervision of students by technologists and this ratio and supervision are also requirements of JRCERT accreditation. Therefore, CRH would assign program students to a room or area who would then learn on the job from and were supervised by the technologist assigned to their room or area.
30. In the months prior to the JRCERT onsite inspection, the Radiology Department discussed (in the summer of 2020) trying a new floating schedule staffing model where technologists would not be assigned a specific room or area but could go to rooms or areas as needed. However, Program students would remain assigned to a specific room or area to assure that rotations were educationally valid, another requirement of JRCERT.
31. Frazier suggested to Algee the new staffing model might not work well because of the supervision requirement of radiology students necessary for JRCERT as well as a matter of safety when working with radiation on patients. She was concerned that the change would affect the Program's accreditation.
32. Algee decided to implement the staffing model change to the new method on a trial basis. A few months later Algee made the change permanent.
33. At the JRCERT site visit exit summation in December 2020, CRH and the Program were cited for violating Standards 4.4 and 4.5, dealing with student supervision, finding that the staffing model did not provide adequate supervision of Program students.

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