



WHEREAS, due to her non-compliance, Licensee was issued a warning letter by the Board Staff on January 18, 2005, and a non-compliance letter on October 12, 2005; and

WHEREAS, on January 23, 2006, the Board Staff sent a letter to the Licensee regarding her lack of compliance and advised her that a formal hearing would be scheduled if she failed to comply. This letter was returned as undeliverable; and

WHEREAS, additional investigation revealed that the Licensee had obtained licensure in the State of Iowa on June 16, 2002, by endorsement and had submitted lapsed license applications to the South Dakota Board of Nursing, without advising the South Dakota Board of Nursing that her license had been indefinitely suspended in Iowa on September 9, 2004, for drug abuse and diversion. Licensee also failed to disclose this information on renewal applications submitted to the South Dakota Board of Nursing in 2004, and again in June 2006; and

WHEREAS, based upon the foregoing, Board Staff has concluded that the public health, safety and welfare requires emergency action in that Licensee's actions may endanger the health and safety of those persons who are or will be entrusted to her care in the future; and

WHEREAS the South Dakota Board of Nursing ("Board") has a statutory obligation to protect the public health, safety and welfare as set forth in SDCL § 36-9, including the protection of the public from unsafe nursing practices and practitioners.

NOW THEREFORE IT IS HEREBY ORDERED:

1. That the Board has jurisdiction of the Licensee and the subject matter of this Order.
2. That based on the above, the Board specifically finds that the public health, safety and welfare requires emergency action against Licensee's license.
3. That based on the above, the Board specifically finds that the Licensee has not observed the terms of her monitoring contract, has been practicing on a suspended license, has failed to advise the Board of disciplinary action taken against her in another state, and that her actions endanger the public health, safety and welfare, and imperatively requires emergency action in that Licensee may endanger the health and safety of those persons who are or will be entrusted to her care in the future and that these are matters of a nature that would constitute further grounds for discipline of her license to practice nursing under SDCL § 36-9-49 (4), (5), (6), (7), and (10).
4. Based upon these findings, Licensee's license to practice nursing in South Dakota is hereby summarily suspended. This Order also affects Licensee's privilege to practice in South Dakota should Licensee change her home state under the Nurse License Compact and the Licensee's practice privilege is subject to the same requirements as set forth in this Order as her South Dakota license. Licensee may petition according to SDCL § 36-9-57 for reinstatement of her license at anytime for "good cause."

5. That Licensee shall turn in her license to the Board within ten (10) days from the date of this Order and it shall be kept by the Board until further action on this matter.

6. Licensee is hereby notified that any practice of or holding herself out as a registered nurse during the terms of this Order of Summary Suspension is a violation of SDCL § 36-9-68.

The South Board of Nursing at its meeting on the 22nd day of June, 2006, approved this Order of Summary Suspension as written without modifications and issues its Order of Summary Suspension consistent herein as follows:

IT IS HEREBY ORDERED that the above is adopted as an Order of the South Dakota Board of Nursing this 22nd day of June, 2006, by a vote of 8-0.

SOUTH DAKOTA BOARD OF NURSING

  
Gloria Damgaard, Executive Director

**NOTICE OF HEARING**

The South Dakota Board of Nursing (“Board”) pursuant to SDCL §§ 1-26-16, 1-26-27, and 1-26-29, provides this Notice of Hearing to Kelli L. Hammer Dosch, R.N., License No. R-029778 (“Licensee”) as follows:

1. Hearing on the Order of Summary Suspension will take place before the Board on September 12<sup>th</sup>, 2006, at 1 o'clock P.m. at the South Dakota  
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Board of Nursing office located at 4305 S. Louise Avenue, Suite 21, in Sioux Falls, South Dakota.

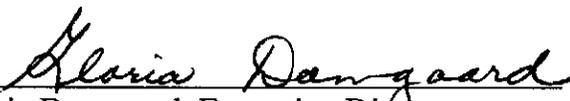
2. This matter is an adversarial proceeding and Licensee has the right to be present at the hearing and to be represented by an attorney. These due process rights will be forfeited if they are not exercised at the hearing.

3. Licensee has a right to request that the agency use the Office of Hearing Examiners for this proceeding by giving notice of the request to the Board no later than ten (10) days after the service of this Notice of Hearing on Order of Summary Suspension.

4. A decision issued by the Board after the hearing may be appealed to the circuit court and to the state Supreme Court as provided by law.

Dated this 27<sup>th</sup> day of June, 2006.

SOUTH DAKOTA BOARD OF NURSING

  
Gloria Damgaard, Executive Director