

WHEREAS, on April 23, 2014, Board staff mailed a letter to the Licensee informing her of the date and time for an informal meeting, which was to be held on May 15, 2014, to discuss the complaint received; and

WHEREAS, Licensee did not show up for the informal meeting on May 15, 2014. Licensee did not contact the Board as to her ability to attend or not to attend this informal meeting; and

WHEREAS, as a consequence, Board staff then sent a certified letter to the Licensee dated May 16, 2014 to advise her of the investigation and the need for an informal meeting; and

WHEREAS, on May 29, 2014, per www.USPS.com, an attempt to deliver the item was made on May 17, 2014 at 10:59 a.m. and a notice of the attempted delivery was left. No arrangements have been made by the Licensee to obtain the item; and

WHEREAS, based upon the affidavit of Francie Miller and the above stated conduct, the Board has concluded that the public health, safety, and welfare require emergency action, in that Licensee's actions may endanger the health and safety of those who are, or will be, entrusted to her care in the future; and

WHEREAS, the Board, has a statutory obligation to protect the health, safety, and welfare 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 require emergency action against Licensee's license.

3. That based on the above, the Board specifically finds that the actions of the Licensee endanger the public health, safety, and welfare, and imperatively require 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. Based upon these findings, Licensee's license to practice nursing in South Dakota is hereby summarily suspended. Licensee may petition according to SDCL § 36-9-57 for reinstatement of her license at any time for "good cause". Should licensee change her home state under the Nurse Licensure Compact, then Licensee's practice privilege is subject to the same requirements as set forth in this Order as her South Dakota license.

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 practical nurse during the terms of this Order of Summary Suspension is a violation of SDCL § 36-9-68.

7. This action is reportable discipline and will be published in the Board's newsletter and posted on its website and reported into the National Practitioner Data Bank (NPDB) as required by law.

The South Board of Nursing at its meeting on the 12th day of June, 2014, 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 12th day of June, 2014, by a vote of 9-0.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, RN, MS
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, hereby provides this Notice of Hearing to Dorothy Ann Seeman, LPN, License No. P009534 ("Licensee") as follows:

1. Hearing on the Order of Summary Suspension will take place before the Board on 09/11/2014, at 2:30 o'clock p.m. at the office of the South Dakota Board of Nursing, 4305 S. Louise Avenue, Suite 201, 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. The hearing will address the Board's assertion, as set forth in its Summary Suspension, that the Licensee, by his/her conduct, violated SDCL 36-9-49 (4), (7) and (10).

4. At the hearing, the Board will determine whether the Licensee's license shall be suspended, revoked, or subject to other disciplinary action as determined by the evidence presented.

5. 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.

6. 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 23rd day of June, 2014.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, RN, MS
Executive Director