

FINDINGS OF FACT

1. That Leah Wille is licensed to practice as a practical nurse in the state of South Dakota and holds license number P011597.
2. On April 29, 2015, the Board received a complaint from an assisted living/long-term care facility alleging that the Licensee, while employed as an LPN in the facility, had accepted gifts from a resident ("N.L.").
3. The gifts that were received by the Licensee included some minor material items, a can of coins, and Certificates of Deposit ("CD") worth \$22,000.00 that N.L. had transferred to the Licensee. Other gifts from N.L. to Licensee were discovered over time.
4. Licensee was a no-show for her informal meeting with the Board of Nursing and calls made to her listed telephone number went unanswered.
5. Licensee was discharged from her employment at the facility on January 7, 2015.
6. The facility, with the approval of N.L.'s son, forwarded a complaint to the local police department for investigation of the exchange of items between N.L. and the Licensee. It was during the police department investigation that a \$3,000.00 check that had been given to the Licensee from N.L. was discovered. The Licensee had cashed this check.
7. The police department did not press charges against Licensee as they concluded that N.L. had given items to the Licensee freely and the Licensee had accepted the gifts from N.L. willingly.
8. Mr. Lorenzen ("Son"), who resides in Montana, is the son of N.L. The Son first became aware of the transfer of the CD and that items were being exchanged between his father

and the Licensee in November 2014. This information had been relayed to him by his brother who lived in Illinois.

9. The Son held Power of Attorney for his father if the father was unable to handle his affairs. The Power of Attorney had been drawn up in 2007.

10. Son, to his knowledge, has never met the Licensee nor has he ever talked to her.

11. Son called N.L.'s bank which confirmed to him that two CDs had been signed over to the Licensee, one in the sum of \$20,000.00 and a second CD in the sum of \$2,000.00, for a total of \$22,000.00.

12. Son decided to wait to see what was transpiring and on December 26, 2014, he wrote a letter to the administrator of the facility to alert her that it had come to his attention that his father had become "fixated" upon one of his caretakers. His caretaker was the Licensee.

13. In January 2015, N.L. called the Son for the first time in a long time to advise the Son that an uncle had died. In that conversation, the father admitted that he had become infatuated with one of the staff and that his "angel was coming to visit him" and that he had given her a "number of things."

14. When the Son told N.L. to be careful, N.L. became angry and explosive and abruptly hung up the phone.

15. This behavior from N.L. was concerning to the Son as N.L. had not been this way before.

16. In February 2015, the Son received a call from the administrator of the long-term-care facility.

17. The son had assumed that the call in February from the administrator was in response to the letter he had written to her in December. However, this was an independent call to him from the administrator as the letter that he had written in December had been returned to him unopened in the mail as no known address.

18. In that February call, the administrator advised the Son that she wanted to let him know that something was going on and that there were other items that she wanted to address with him. The administrator wanted the Son's permission to turn over her concerns about items of property being exchanged between N.L. and the Licensee to the local police department.

19. Son granted permission for the investigation.

20. The police department produced a canceled check in the sum of \$3,000.00 that the Licensee had cashed.

21. The Son at that time decided to come to visit his father at the facility unannounced. Licensee had been terminated by the time he came for a visit. During that visit, the dad had also talked about changing his Will to include the Licensee.

22. The Son, when talking to his father, indicated to his dad that "you've been took." N.L. again became very agitated and angry.

23. The Son then contacted an attorney and obtained guardianship and conservatorship of N.L. through the court system.

24. The Son then went and had the CDs put back into N.L.'s name.

25. Son found that invoices for N.L.'s prescriptions at Hy-Vee had not been paid for over six months and that there were missing check blanks from N.L.'s checkbook that had not been sent back to the bank.

26. It was noted that N.L. had been making other regular payments as he had done in the past.

27. Son also found a discrepancy with the land rental checks that were received by N.L. The renters had inquired as to why their check had not been cashed. In follow up, the Son found that of the \$2,450.00 rent check, \$2,000.00 of it had been given to the Licensee and only \$450.00 was deposited.

28. Currently, the bank is on alert of activity and N.L. is limited in the amount of his check-writing ability.

From the foregoing findings of fact, the Board draws the following:

CONCLUSIONS OF LAW

1. That the Board has jurisdiction and authority over this matter pursuant to SDCL §§ 36-9-1.1 and 36-9-49

2. That the Licensee's conduct as identified in the findings of fact is inconsistent with the health and safety of those persons entrusted to her care and violates statutes and rules and regulations regarding the practice of nursing and are in violation of SDCL § 36-9-49 (4), (5), (7) and (10) and is also in violation of the standards of ethics upheld by the Board as outlined in ARSD 20:48:04:01.1(d).

THEREFORE, let an order be entered accordingly.

ORDER

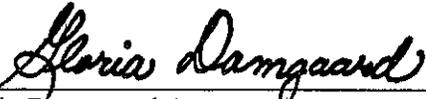
Based on the Findings of Fact and Conclusions of Law, the South Dakota Board of Nursing hereby orders:

1. That the Licensee's license to practice nursing in the state of South Dakota is hereby indefinitely suspended.
2. The Licensee shall turn in her license to the Board within ten (10) days from the date of this Order.
3. That the Licensee is hereby notified that any practice as or holding herself out as a practical nurse during the term of this suspension is in violation of SDCL § 36-9-69.
4. That Licensee may petition for reinstatement of her license at any time for "good cause" pursuant to SDCL § 36-9-57.

The South Dakota Board of Nursing at its meeting on the 11th day of September, 2015 approved this Order of Suspension as written by a vote of 8-0, and issues its Order of Suspension consistent herein.

IT IS HEREBY ORDERED that the above Order of Suspension is adopted as an Order of the South Dakota Board of Nursing on this 17th day of September, 2015.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, RN, MS
Executive Director