

STATE OF SOUTH DAKOTA  
DEPARTMENT OF COMMERCE AND REGULATION  
SOUTH DAKOTA BOARD OF NURSING

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IN THE MATTER OF THE  
LICENSURE PROCEEDINGS  
RE: TERESA BOLLING

FINDINGS OF FACT,  
CONCLUSIONS OF LAW; AND ORDER OF  
SUSPENSION

License No. . R-024659

Licensee,

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WHEREAS the above-captioned matter came on for hearing before the South Dakota Board of Nursing pursuant to a Complaint and Notice of Hearing on the 30<sup>th</sup> day of November, 2000, and;

WHEREAS the Licensee, Teresa Bolling, RN, having received notice of the hearing did not appear in person nor by an attorney, and;

WHEREAS the South Board of Nursing appeared by and through its attorney, Terry N. Prendergast, and;

WHEREAS the Board of Nursing presented testimony of Carey Duffy, Board Staff, and Carol Assid of Good Samaritan Nursing Home in Sioux Falls, South Dakota, and Exhibits 1-24, inclusive, which were received in evidence, and;

WHEREAS, Licensee was given an opportunity to confront the Board witnesses and to present evidence on her behalf, but Licensee did not attend the hearing, and;

WHEREAS, the Board has a statutory obligation to protect the public health, safety and welfare set forth in SDCL 36-9, including the protection of the public from unsafe nursing practices and practitioners; and

NOW, THEREFORE, the Board of Nursing makes the following:

**FINDINGS OF FACT**

1. During the course of Licensee's employment at Good Samaritan Center in Sioux Falls, S.D. during the period from March, 2000, through May 31,2000, she had medication errors, missed narcotics, did not properly document, failed to attend required training, and abused a resident, slamming the resident's door, removing the resident's call light, instructing staff to hold the resident's hands down, leading to her discharge from Good Samaritan Center on May 31, 2000

2. Licensee was noticed by Staff for an informal meeting sent by certified mail to her last known address but Licensee did not appear on March 9, 2000, for the scheduled informal meeting, although contacting Carey Duffy, Board Staff about her attendance and indicating she'd call back if she wasn't coming.

3. Licensee committed 15 medication errors between April 19, 2000, and May 15, 2000, although only working a maximum of three scheduled shifts per week..

**CONCLUSION OF LAW**

1. That Licensee's conduct as identified in the Findings of Fact would be in violation of SDCL § 36-9-49(5),(7) and (10).

2. A.R.S.D. 20:48:04:01(1)(d) provides that the Board recognize the "Standards of Clinical Nursing Practice," 1991, and the "Code for Nurses With Interpretive Statements," 1985 by ANA as the criteria for assuring safe and effective practice following licensure. The Code of

Ethics requires the R.N. to function within established legal guidelines and uphold the laws of the land.

3. Licensee's actions as found above have violated the provisions of the law, thus violating SDCL § 36-9-49(5), (7) and (10), and amount to unprofessional or dishonorable conduct violating SDCL § 36-9-49(10).

4. That the Board of Nursing has authority to suspend Licensee's license for said conduct.

### ORDER

Based upon the above Findings of Fact and Conclusions of Law, the South Dakota Board of Nursing hereby ORDERS:

1. That the Board has jurisdiction of the Licensee and the subject matter of this Order.

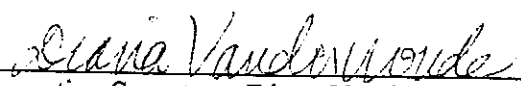
2. Based upon these findings and conclusions, the Licensee's license to practice nursing in South Dakota is hereby suspended. Licensee may petition according to SDCL 36-9-57 for reinstatement of her license at any time for "good cause".

3. Licensee shall turn her license in to the Board within ten (10) days from the date of this Order.

4. Licensee is also hereby notified that any practice as or holding herself out as a licensed nurse during the term of this suspension is a violation of SDCL § 36-9-68.

Dated this 11 day of December, 2000.

SOUTH DAKOTA BOARD OF NURSING

  
Executive Secretary, Diana Vander Woude

The above-captioned Findings of Fact and Conclusions of Law and Order were adopted by the South Dakota Board of Nursing on the 30th day of November, 2000, by a vote of

8-yes; 0-no

*Diana Vander Woude*  
Executive Secretary, Diana Vander Woude