

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

**IN THE MATTER OF THE
LICENSURE PROCEEDINGS
RE: KATINA K. DEYOUNG**

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

License No. . R-027851

Licensee,

WHEREAS the above-captioned matter came before the South Dakota Board of Nursing on the 20th day of September, 2001 pursuant to an alleged violation of probation which led to an order of summary suspension, and;

WHEREAS the Licensee, KATINA K. DEYOUNG, 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 Exhibits , 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. The Board specifically finds by clear and convincing evidence that the Licensee has not observed the employment restrictions in her order as stated in the recitals above and that the actions of Licensee in not observing the employment restrictions endanger the public health, safety and welfare, and that the actions may endanger the health and safety of those persons who are or will be entrusted to her care in the future and that these matters are of a nature that would constitute further grounds for discipline of her license to practice nursing under SDCL § 36-9-49.

CONCLUSION OF LAW

1. That Licensee's conduct as identified in the Findings of Fact would be in violation of her probation agreement and Stipulation and Order and allow the Board to take all action against her nursing license up to and including a complete revocation of Licensee's rights to practice as a nurse in South Dakota.

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 indefinitely. 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 20th day of September, 2001.

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 20th day of September 2001, by a vote of

8 yes and.

Diana VanderWoude
Executive Secretary, Diana Vander Woude