

SOUTH DAKOTA BOARD OF NURSING

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IN THE MATTER OF THE	:	
LICENSURE PROCEEDINGS	:	
RE: TRIXIE INGEMUNSON, LPN	:	
License No. P-008858	:	ORDER OF
Licensee.	:	SUMMARY SUSPENSION
	:	AND NOTICE OF HEARING

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WHEREAS, Trixie Ingemunson, LPN (“Licensee”), is a licensed practical nurse in the State of South Dakota and holds license number P-008858; and

WHEREAS, Licensee made a reinstatement request in writing and was personally present at the Board’s January 23, 2004, meeting at which time the matter of Licensee’s reinstatement was presented to the Board and the Licensee presented statements and answered questions of the Board; and

WHEREAS, following the presentation to the Board, the Board hereby reinstated the Licensee’s license to practice nursing in the State of South Dakota on a probationary status of 36 months. The Board also imposed terms and conditions of probation which were to be completely followed by the Licensee. Said Order of Reinstatement and the terms of condition were approved by the Board of Nursing on January 23, 2004; and

WHEREAS, Ms. Ingemunson has not been in contact with the South Dakota Board of Nursing since the date of her Reinstatement With Probation Order and such failure constitutes a violation of probation. Various attempts by the Board to locate Ms.

Ingemunson have met with failure. The Board was unable to locate the Licensee or obtain any information regarding her whereabouts or any other personal information; and

WHEREAS, the 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 practice and practitioners; and

WHEREAS, the Board considers the acts of Licensee as a violation of the terms of the probation as set forth in her Reinstatement With Probation Order dated January, 2004.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That the Board has jurisdiction of the Licensee in the subject matter of this Order.
2. That based upon the above, the Board specifically finds that the public health, safety, and welfare require emergency action against Licensee's license.
3. That the Board specifically finds that the Licensee has not observed the terms of her Reinstatement With Probation Order as referenced above and that the actions of the Licensee endanger the public health, safety, and welfare, and imperatively require emergency action, and that the 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 that these are matters are of the nature that would constitute further grounds for discipline of her license to practice nursing under SDCL § 36-9-49.
4. That based upon these findings, the Licensee's license to practice nursing in South Dakota is hereby suspended.

5. The Licensee may petition, according to SDCL § 36-9-57, for reinstatement of her license at any time for good cause and upon completion of the terms as set forth in the Order of Probation.

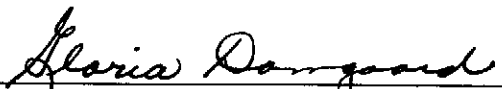
6. The Licensee shall surrender her license to the Board within ten (10) days from the date of this Order and it shall be kept by the Board until further action on this matter.

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

8. The South Dakota Board of Nursing's meeting on the 9th day of February, 2005, approved this Summary Suspension and issues its Order consistent herewith.

IT IS HEREBY ORDERED, that the above is adopted as an Order of the South Dakota Board of Nursing this 9th day of February, 2005, by a vote of 7-0.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, Executive Secretary

NOTICE OF HEARING ON ORDER OF SUMMARY SUSPENSION

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 on an Order of Summary

Suspension in regards to Trixie Ingemunson, LPN, License No. P-008858 ("Licensee") as follows:

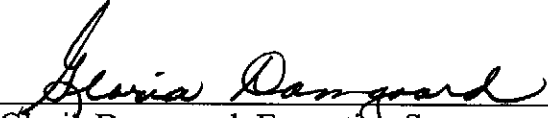
1. The South Dakota Board of Nursing is a duly appointed regulatory authority of the State of South Dakota.
2. Licensee, Trixie Ingemunson, LPN, is licensed to practice as a licensed practical nurse in the State of South Dakota and holds a probation license number P-08858.
3. The Board has jurisdiction and authority over this matter pursuant to SDCL §§ 36-9-1.1 and 36-9-49. Pursuant to the matters reference above, the Board considers the acts of the Licensee as a violation of the terms of her probation for reinstatement with probation and that the action of the Licensee endangers the public health, safety, and welfare.
4. The Licensee, as of the date of this notice, has not complied with the reinstatement with probation order and the Board requests that the Licensee's license remain suspended or be revoked.
5. Hearing on the Order of Summary Suspension will take place before the Board on April 7, 2005, at 11:30 o'clock a.m., at the South Dakota Board of Nursing office located at 4305 South Louise Avenue, Suite 201, Sioux Falls, South Dakota.

6. This matter is an adversarial proceeding and the 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.

7. Licensee has the 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 service of this Notice of Hearing on Order of Summary Suspension.

8. 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 9th day of February, 2005.



Gloria Damgaard, Executive Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of February, 2005, I sent to Trixie Ingemunson, PO Box 118 Browns Valley, MN, 56219, a true and correct copy of the foregoing Order of Summary Suspension and Notice of Hearing by certified mail and first-class mail, postage prepaid.



Gloria Damgaard, Executive Secretary