

cover her scheduled shifts. Licensee had also been counseled for medication administration issues on July 13 as well as on July 14, 2010.

On July 14, 2010, the Licensee tendered her resignation, giving a two week notice to her employer. The next day she called in sick and would not return phone calls; however, she did "text" the administrator. A follow-up to the medication administration issues occurred on July 22, 2010. There had been some improvement, and the Licensee decided to withdraw her resignation and return to full-time status on August 1, 2010.

It was documented that on August 7, 2010, the Licensee was scheduled to work. She did not show for her scheduled shift and did not call in.

On August 9, 2010, Licensee came to work for the evening shift. Just before supertime she indicated that she was feeling ill and wanted to go home. She said that she had been placed on a new medication and thought she might be reacting to it. Licensee could not find a replacement for her shift. After some discussion with the Assistant Administrator about the situation, the Licensee reported that she was feeling better and would stay through her shift. Thereafter, the Assistant Administrator left the facility. Shortly thereafter, at approximately 5:00 p.m., the Licensee left the building without telling her co-workers. She left the facility keys on the med cart and did not complete the narcotic count. Administration was unable to reach her by phone.

The Licensee was terminated on August 13, 2010. The incident of abandoning her shift and abandoning the residents was reported to the Board.

As part of the Board's disciplinary investigation, an Informal Meeting was scheduled with the Licensee for October 14, 2010, at 1:30 p.m. A letter dated September 3, 2010 was sent to the Licensee. The Licensee did not show up for the scheduled meeting, nor did she call informing the Board that she would not be able to attend that informal meeting.

Two days after the missed Informal Meeting, Board staff contacted the Licensee by phone. A new date for the Informal Meeting was mutually set between Licensee and Board staff. Licensee was sent a subsequent letter dated October 15, 2010, rescheduling the meeting to the agreed upon date of October 21, 2010. Licensee did not attend the Informal Meeting, nor did she call informing the Board that she would not attend the meeting; and

WHEREAS, based upon the affidavit of Kathleen Rausch 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 Licensee's actions endanger the public health, safety, and welfare, and imperatively requires 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(5), (7), and (10).

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". This Order also affects Licensee's privilege to practice in South Dakota. 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 Healthcare Integrity and Protection Data Bank (HIPDB) and National Practitioner Data Bank (NPDB) as required by law.

The South Board of Nursing at its meeting on the 19th day of November 2010, approved this Order of Summary Suspension as written without modifications by a vote of 8 - 0, 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 30th day of November, 2010.

SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, 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 Hildreth D. Rodlund, LPN, License No. P010134 ("Licensee") as follows:

1. Hearing on the Order of Summary Suspension will take place before the Board on January 26, 2011, at 1³⁰ pm o'clock p.m. at the office of the South Dakota Board of Nursing, 4305 S. Louise Avenue, Suite 201 in Sioux Falls, South Dakota.

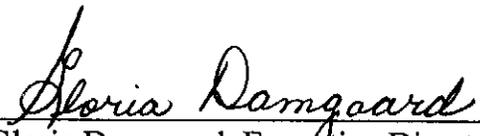
2. This matter is an adversarial proceeding and Licensee has the right to be present at the hearing and to be represented by an attorney. These due process rights will be forfeited if they are not exercised at the hearing.

3. 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.

4. 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 30th day of November, 2010.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, Executive Director