

SOUTH DAKOTA BOARD OF NURSING

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IN THE MATTER OF THE :

LICENSURE PROCEEDINGS :

RE: BARBARA JEAN WELCH; :

a/k/a BARBARA JEAN HOFFMAN; :

BARABARA JEAN YOUNG, RN :

COMPLAINT AND

NOTICE OF HEARING

Applicant.

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The South Dakota Board of Nursing (“Board”) for its complaint against the above Applicant states as follows:

1. The Board is a duly appointed regulatory authority for the State of South Dakota and has authority over this matter pursuant to SDCL §§ 36-9-1.1 and 36-9-49.

2. That on February 1, 2005, Barbara Jean Welch; a/k/a Barbara Jean Hoffman; Barbara Jean Young (“Applicant”) submitted an application for professional nurse licensure to the South Dakota Board of Nursing.

3. On the application, the above Applicant denied each and every question regarding previous or current disciplinary action against her license and signed an Affidavit claiming her answers to be true and correct.

4. Upon investigation, the Board staff found, amongst other things, that the Applicant is the subject of a Complaint against her RN License (License Number RN105234) with the State of Arizona with Complaint and Notice of

Hearing being issued on April 6, 2005. (The Board incorporates by reference as if fully set forth herein the factual allegations and alleged violations as set forth in that Complaint - Complaint No. 0402033; Docket No. 05A-0402033.)

5. Following an investigation, the Board staff issued to the Applicant a notice calling for her appearance at an Informal Meeting scheduled for June 20, 2005, at 1:00 p.m. Applicant did not appear for that meeting.

6. The Board considered Barbara Jean Hoffman's application for a RN nursing licensure at its meeting held June 30, 2005.

7. The Board alleges that the applicant intended to procure licensure through fraud and misrepresentation which is in violation of SDCL § 36-9-49(1) and (7).

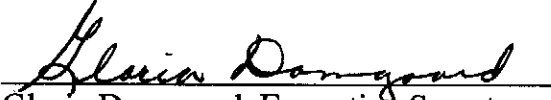
WHEREFORE, the Board of Nursing hereby requests that:

1. That the Licensee's application to practice nursing in the State of South Dakota be hereby denied;

2. That Licensee's attempt to procure licensure in South Dakota by fraud and misrepresentation be reported to the NURSYS system and to the proper state authorities; and

3. For any other action as deemed necessary and appropriate by the Board.

Dated this 30th day of June, 2005.


Gloria Damgaard, Executive Secretary


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 on its Complaint against Barbara Jean Welch; a/k/a Barbara Jean Hoffman; Barbara Jean Young, RN ("Applicant") as follows:

1. Hearing on the Complaint will take place before the Board on September 15, 2005, at 3³⁰ o'clock p.m., at the South Dakota Board of Nursing office located at 4305 South Louise Avenue, Suite 201, Sioux Falls, South Dakota.
2. This matter is an adversarial proceeding and the Applicant 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. Applicant 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 Complaint.


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 11th day of July, 2005.


Gloria Damgaard, Executive Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of July, 2005, I sent to Barbara Jean Welch (Hoffman), 1628 Southern Avenue, Building 9, Suite 9, Tempe, Arizona 85282, a true and correct copy of the foregoing Complaint and Notice of Hearing by certified and first-class mail, postage prepaid.


Gloria Damgaard, Executive Secretary