

SOUTH DAKOTA BOARD OF NURSING

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IN THE MATTER OF THE LICENSURE PROCEEDINGS	:	
	:	
RE: DEBRA WOODWARD, RN	:	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF SUSPENSION
License No. R-025715	:	
Licensee.	:	

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The South Dakota Board of Nursing’s (“Board”) continuation of Summary Suspension of the license of Debra Woodward, RN, License No. R-025715 (“Licensee”) came on for hearing before the South Dakota Board of Nursing at its office in Sioux Falls, South Dakota, on September 16, 2004, at 1:00 o’clock p.m. Licensee, Debra Woodward, having received notice of the hearing, and having been given the opportunity to confront Board witnesses and to present evidence on her behalf, did not appear in person nor by an attorney. The Board appeared by and through its attorney, Kristine Kreiter O’Connell.

The Board considered the evidentiary testimony of Nancy Bohr, the Affidavit, Orders, and other documents on file in this case and being charged with the statutory obligation to protect the public health, safety, and welfare as set forth in SDCL § 36-9, including the protection of the public for unsafe nursing practices and practitioners, the Board hereby makes the following:

FINDINGS OF FACT

1. That Debra Woodward is licensed to practice as a registered nurse in the State of South Dakota and holds license #R-025715.

2. That on or about January, 2004, Licensee's employer, Highmore Healthcare Center in Highmore, South Dakota, filed a complaint with the South Dakota Board of Nursing alleging that the Licensee failed to properly document nursing interventions, failed to properly perform nursing assessments, failed to follow narcotic count procedures, failed to follow proper insulin procedures, failed to notify an oncoming nurse of care information concerning a resident, and engaged in erratic unstable behavior while on duty during the month of December, 2003, to January, 2004.

3. The Board of Nursing, based on the complaint, set up a formal meeting with the Licensee for February 6, 2004. When notified of the informal, the Licensee indicated that she would be there as scheduled. Shortly thereafter she said she would reschedule and would call in one to two days to do so. Instead of rescheduling, and without prior notice, the Licensee appeared at the Board office at 11:00 o'clock a.m. on February 6, 2004, for her informal meeting. She insisted that the meeting be held at that time.

4. During the informal meeting, Licensee refused to allow the meeting to be tape recorded. During the informal meeting, the Licensee was angry, accusatory towards the staff and expressed paranoia.

5. The Licensee claimed that her prior participation in the Health

Professionals Assistance Program (“HPAP”) had caused her to go into kidney failure and stated that only someone who “had committed suicide” would understand her situation.

6. That the informal meeting had to be concluded early as the Licensee became more agitated causing Board staff to be uncomfortable with continuing the meeting.

7. That the Licensee has failed to follow through with the psychological/psychiatric examination pursuant to § 36-9-49.1 as ordered by the Board in its Order of Suspension dated February 18, 2004.

8. That Licensee has refused to cooperate with the Board in determining her ability to practice as a registered nurse.

9. That following the informal meeting, Licensee made telephone calls to the Board reprimanding the Board and yelling at the staff. The conversations ended with Licensee shouting “don’t call me again” and slamming down the receiver.

From the foregoing Findings of Fact, the Board draws the following:

CONCLUSION OF LAW

1. The South Dakota Board of Nursing has jurisdiction and authority over this matter pursuant to SDCL §§ 36-9-1.1, 36-9-49, and SDCL § 36-9-49.1

2. That Licensee’s conduct as identified in the Findings of Fact are in violation of SDCL §§ 36-9-49(5)(7) and (10).

3. Licensee's conduct as identified in the Findings of Fact are also inconsistent with SDCL § 36-9-49.1 in that she has refused to submit to an examination.

4. That ARSD 20:48:04:01(1)(d) provides that the Board recognizes the "Standards of Clinical Nursing Practice," 1991, and the "Code for Nurses With Interpretive Statement," 1985, as published by the American Nurse's Association as a criteria for assuring safe and effective practice following licensure. The code of ethics require an RN to function within an established legal guideline and uphold the basic standards of nursing practice.

THEREFORE, that an Order be entered accordingly:

ORDER

Based on the Findings of Fact and Conclusions of Law, South Dakota Board of Nursing hereby orders:

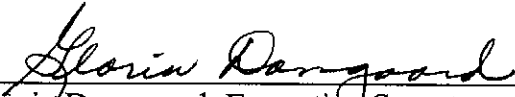
1. That the Licensee's license to practice nursing in the State of South Dakota is hereby suspended.

2. The Licensee may petition according to SDCL § 36-9-57 for reinstatement of her license at any time for "good cause."

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

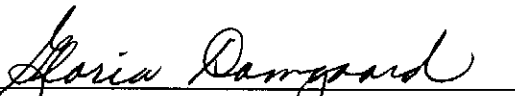
4. Licensee is hereby notified that any practice as or holding herself out as a registered nurse during this term of suspension is a violation of SDCL § 36-9-68.

Dated this 16th day of September, 2004.



Gloria Damgaard, Executive Secretary
South Dakota Board of Nursing

The above captioned Findings of Fact and Conclusions of Law and Order were adopted by the South Dakota Board of Nursing on the 16th day of September, 2004, by a vote of 8-0.



Gloria Damgaard, Executive Secretary
South Dakota Board of Nursing