

SOUTH DAKOTA BOARD OF NURSING

0-0

IN THE MATTER OF THE LICENSURE
PROCEEDINGS :

DOH. 18-04

RE: BRIANNA SONGER, UMA,

Registration No.: M002707,

Registrant.

:
:
:
:
:
:
:
**NOTICE OF ENTRY OF
ORDER OF REVOCATION OF
UNLICENSED MEDICATION AIDE
(UMA)**

0-0

PLEASE TAKE NOTICE that the South Dakota Board of Nursing's Order of Revocation of UMA Registration in the above-referenced matter was signed by the Board of Nursing's Executive Director, Gloria Damgaard, on May 1, 2018. A true and correct copy of the same is attached to this Notice and herewith served upon you.

Dated this 1st day of May, 2018.

WOODS, FULLER, SHULTZ & SMITH P.C.


By *Kristine Kreiter O'Connell*
Kristine Kreiter O'Connell
300 South Phillips Avenue, Suite 300
Post Office Box 5027
Sioux Falls, South Dakota 57117-5027
(605)336-3890
Attorneys for South Dakota Board of Nursing

Notice of Entry of Order of Revocation of Unlicensed Medication Aide (UMA)
Registrant: Brianna Songer, UMA
DOH. 18-04

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of May, 2018, I sent a true and correct copy of the foregoing Notice of Entry of Order of Revocation of Unlicensed Medication Aide (UMA) was sent by United States first-class mail, postage prepaid to the following:

Brianna Songer
38945 209th Street
Wolsey, SD 57384
Registrant



*One of the Attorneys for the South Dakota
Board of Nursing*

SOUTH DAKOTA BOARD OF NURSING

0-0

IN THE MATTER OF THE LICENSURE
PROCEEDINGS :

RE: BRIANNA SONGER, UMA,

Registration No.: M002707,

Registrant.

DOH. 18-04

**ORDER OF REVOCATION
OF UNLICENSED
MEDICATION AIDE (UMA)**

0-0

The South Dakota Board of Nursing's ("Board") hearing on the summary suspension of Brianna Songer, UMA, registration number M002707, ("Registrant") came before the Board at its office in Sioux Falls, South Dakota, on April 20, 2018, at 9:30 a.m. Administrative Law Judge Ryan Darling presided over the proceeding. The proceeding was transcribed by a court reporter.

Registrant, having been served with the Order for Summary Suspension and Notice of Hearing and the supporting documentation at her last known address on file with the Board, did not appear in person to present evidence on her behalf or to confront witnesses. The Board appeared by and through its attorney, Kristine K. O'Connell.

The Board considered the evidentiary testimony of Tessa Stob, Board Investigator. The Board also considered the exhibit numbered 1 and other public documents on file in this case and being charged with the statutory obligation to protect the public health, safety and welfare set forth in ARSD 20:48:04:01, *et al.*, including the protection of the public from unsafe UMA practices and registrants, the Board hereby makes the following:

FINDINGS OF FACT

1. That Brianna Songer is registered to practice as an unlicensed medication aide in the State of South Dakota and holds registration number M002707.

2. The Board received a complaint from Registrant's employer that upon her UMA registration, it was noted that she had a history of felony convictions for unauthorized ingestion of controlled substances.

3. That the Registrant, on December 13, 2016, pled guilty to a class 5 felony of ingestion of controlled drug/substance I or II. Registrant received a suspended imposition of judgment with terms and conditions as outlined in the South Dakota Unified Judicial System record search report.

4. The Board has made multiple attempts to contact the Registrant in regard to this criminal history. The Board has received no response from the Registrant.

From the foregoing findings of fact, the Board draws the following:

CONCLUSIONS OF LAW

1. That the Board has jurisdiction and authority over this matter pursuant to ARSD 20:48:04:01.

2. That as outlined by the Department of Health, registry status implies only that an unlicensed individual has met the minimum training and testing requirements necessary to accept delegated tasks by a licensed nurse while under a nurse's supervision.

3. Registry status does not imply that an individual has met moral, ethical, or legal standards.

4. The Registry does not take the place of an employer's hiring/screening process or background check.

5. The Board concludes that the Registrant violated standards expected of a UMA.

THEREFORE, let an order be entered accordingly.


ORDER

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

1. That the Registrant's registration to practice as a UMA (unlicensed medication aide) is hereby indefinitely revoked.
2. That the Registrant shall not, during this revocation, hold herself out as a UMA.
4. That the Registrant may petition for registry status of her UMA registration upon a showing of "good cause" why UMA registry status should be granted.

Dated this 1st day of May, 2018.

SOUTH DAKOTA BOARD OF NURSING

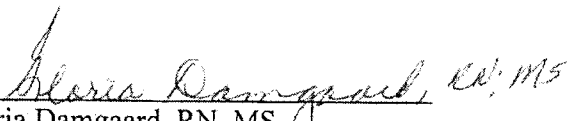

Gloria Damgaard, RN, MS
Executive Director

Order for Revocation of Unlicensed Medication Aide (UMA)
Registrant: Brianna Songer, MA
DOH. 18-04

The South Dakota Board of Nursing, or at the hearing on the 20th day of April, 2018, approved this Order of Revocation of Unlicensed Medication Aide (UMA) as written by a vote of 7-0, and issues its Order of Revocation consistent herein.

IT IS HEREBY ORDERED that the above Order of Revocations is adopted as an Order of the South Dakota Board of Nursing on this 1st day of May, 2018.

SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, RN, MS
Gloria Damgaard, RN, MS