

SOUTH DAKOTA BOARD OF NURSING

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IN THE MATTER OF THE LICENSURE :
 PROCEEDINGS :

RE: EBONIE U. THOMAS, RN :

Illinois License No. 041371719, :

Applicant. :

**ORDER DENYING
 LICENSURE AND
 NOTICE OF HEARING**

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WHEREAS, Ebonie U. Thomas, (“Applicant”), is licensed to practice as a registered nurse in the State of Illinois and holds license number 041371719; and

WHEREAS, Applicant does not have a South Dakota nursing license; and

WHEREAS, On or about April 13, 2017, Applicant initiated the online application process by endorsement at the Board’s website. The Applicant did not request a temporary permit to practice during the pendency of the application process. It was noted on her application that she had no employment hours; and

WHEREAS, on or about August 7, 2017, Applicant was hired by a long term care facility as a registered nurse; and

WHEREAS, shortly after her hire, the Board was contacted by the Director of Nursing of the long term care facility inquiring about Applicant’s licensure status as during a state survey, the facility could not verify any licensure for the Applicant on the Board’s website; and

WHEREAS, in addition to questions regarding licensure, the long term care facility shared with the Board multiple care concerns regarding Applicant that included:

- Signing off medications before administering them;

- Failing to call a physician regarding a resident's blood pressure that was outside of the ordered parameters;
- Signing off orders before completing them;
- Throwing away extra pill packets if they were not needed during a particular med pass;
- Leaving the medication cart unlocked;
- Failing to apply oxygen to a resident who had an order to use it at night and if oxygen saturation dropped to 88%;
- Failing to locate and remove a nicotine patch on a resident and documenting that she was unable to find it when it was clearly visible on the resident's shoulder;
- Failing to do required blood sugar tests. When checking the glucometer there were four tests performed, and of the two that were performed, the blood sugars obtained did not match what Applicant documented in the chart;
- Failure to properly administer tube feeding when, at the end of her shift, it was observed that the feeding tube was unhooked and the formula was curdled.

WHEREAS, upon review of the facility complaint, it was noted that the Applicant had worked 70 days without a South Dakota license; and

WHEREAS, Board staff attempted to contact Applicant by phone, e-mail and U.S. Mail. I received no response from Applicant. The Board did not receive any employment verifications in the application process; and

WHEREAS, based upon the above, the application of Applicant should be denied and she should be noticed for a hearing based upon her not completing the licensure process prior to practicing in the State of South Dakota; and

WHEREAS, based upon the above, the Board concludes that the public health, safety, and welfare imperatively requires emergency action in that Applicant's actions constitutes unprofessional conduct that may endanger the health and safety of persons entrusted to her care and that Applicant's license should be summarily suspended; 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:

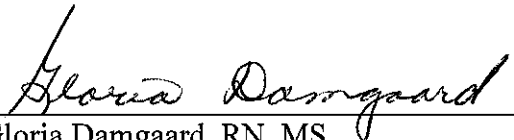
1. That the Board has jurisdiction of the Applicant and the subject matter of this Order.
2. That based on the above, the Board specifically finds that the public health, safety and welfare require emergency action against Applicant.
3. That based on the above, the Board specifically finds that the actions of the Applicant endanger the public health, safety and welfare, and imperatively require emergency action in that Applicant 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 the Applicant to practice nursing under SDCL § 36-9-49 (9) and (10).
4. Based upon these findings, Applicant's application to practice nursing in South Dakota is hereby denied.

7. This action is reportable discipline and will be published in the Board's newsletter and posted on its website and reported into the National Practitioner Data Bank (NPDB) as required by law.

The South Board of Nursing met on the 16th day of November, 2017, and approved denying licensure by a vote of 10-0, and issues its Order Denying Licensure consistent herein as follows:

IT IS HEREBY ORDERED that the above is adopted as an Order of the South Dakota Board of Nursing this 6th day of December, 2017.

SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, RN, MS
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 Ebonie U. Thomas, RN, Illinois License No. 041371719 ("Applicant") as follows:

1. Hearing on the Order of Denial will take place before the Board on February 9, 2018, at 9:00 A.m. at the office of the South Dakota Board of Nursing, 4305 S. Louise Avenue, Suite 201, Sioux Falls, South Dakota.

2. This matter is an adversarial proceeding and 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. The hearing will address the Board's assertion, as set forth in its Order Denying Licensure, that the Licensee, by her conduct, violated SDCL §§ 36-9-49 (9) and (10).

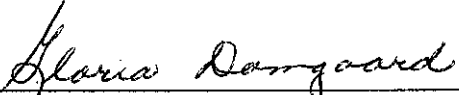
4. At the hearing, the Board will determine whether the Applicant's application for licensure should be denied.

5. Applicant 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 Denying Licensure.

6. 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 6th day of December, 2017.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, RN, MS
Executive Director