

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE MINNESOTA BOARD OF NURSING

In the Matter of Debra A. Hinrichs,  
R.N., License No. 123263-1

FINDINGS OF FACT,  
CONCLUSIONS,  
AND RECOMMENDATION

This matter came on for hearing before Administrative Law Judge Beverly Jones Heydinger at 9:30 a.m. on Wednesday, August 25, 1999, at the offices of the Board of Nursing, 2829 University Avenue S.E., Suite 500, Minneapolis, Minnesota. Louis Hoffman, Assistant Attorney General, 500 Capitol Office Building, 525 Park Street, St. Paul, MN 55103, appeared by telephone for the Board. Debra A. Hinrichs did not appear in person or by counsel. The record closed on the date of hearing.

This report is a recommendation, not a final decision. The Minnesota Board of Nursing will make the final decision after a review of the record and may adopt, reject or modify these Findings of Fact, Conclusions, and Recommendation. Under Minn. Stat. § 14.61 (1998), the Board shall not make a final decision until this Report has been made available to the parties for at least ten days. The parties may file exceptions to this Report and the Board must consider the exceptions in making a final decision. Parties should contact the Board at the address above to learn the procedure for filing exceptions or presenting argument.

STATEMENT OF ISSUE

1. Was Hinrichs convicted during the previous five years of a felony or a gross misdemeanor reasonably related to the practice of nursing?
2. Did Hinrichs violate a rule adopted by the Board, an order of the Board, or a state or federal law relating to the practice of professional or practical nursing, or a state or federal narcotics or controlled substance law?
3. Did Hinrichs fail to cooperate with an investigation of the Board?

Based upon all of the proceedings herein, the Administrative Law Judge makes the following:

FINDINGS OF FACT

1. On June 7, 1999, the Notice of and Order for Prehearing Conference and Hearing in this matter was served upon Hinrichs by first class mail at her last known address, 915 Arcade Street, St. Paul, Minnesota 55106. It notified her of a prehearing conference scheduled for July 14, 1999. It was not returned as undelivered.
2. On July 14, 1999, Hinrichs failed to appear at the prehearing conference. On July 15, 1999, an Order for Hearing was sent to Hinrichs giving her notice of

the hearing on August 25, 1999. It was not returned as undelivered. Both the original Notice of and Order for Prehearing Conference and Hearing, and the Order for Hearing issued on July 15, informed Hinrichs that if she failed to appear at the hearing the allegations against her, set forth in the Notice of and Order for Prehearing Conference and Hearing, could be taken as true, and a default order could be issued. She was informed that such an order could result in disciplinary action, including loss of license.

3. Hinrichs failed to appear at the prehearing conference on July 14, 1999, or the hearing on August 25, 1999, and no one appeared on her behalf.
4. Because Hinrichs failed to appear, she is in default.
5. Pursuant to Minn. Rules part 1400.6000, the allegations contained in the Notice of and Order for Prehearing Conference and Hearing are taken as true and incorporated into these Findings of Fact.

Based upon the foregoing Findings of Fact, the Administrative Law Judge makes the following:

#### CONCLUSIONS

1. The Board of Nursing and the Administrative Law Judge have jurisdiction in this matter pursuant to Minn. Stat. §§ 14.50, 148.261 and 214.10 (1998).
2. The Board has given proper notice of the hearing in this matter and has fulfilled all relevant substantive and procedural requirements of law and rule.
3. The facts set out in the Notice of and Order for Prehearing conference and Hearing constitute violations of Minn. Stat. § 148.261, subd. 1(3), (17) and (21).

Based upon the foregoing Conclusions, the Administrative Law Judge makes the following:

RECOMMENDATION

IT IS HEREBY RECOMMENDED: that the Board take disciplinary action against Debra A. Hinrichs, R.N.

Dated this 31<sup>st</sup> day of August, 1999.

S/ Beverly Jones Heydinger  
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BEVERLY JONES HEYDINGER  
Administrative Law Judge

Reported: Default

NOTICE

Pursuant to Minn. Stat. § 14.62, subd. 1 (1998), the Board is required to serve its final decision upon each party and the Administrative Law Judge by first class mail.

MEMORANDUM

Debra Hinrichs did not appear at the hearing to refute the allegations against her. The facts alleged by the Board are taken as true. Absent any evidence to the contrary, the facts reasonably support the conclusions

BJH