

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

In the Matter of
the License of
David R. Slayton, RN;
License No. 74192-9

FINDINGS OF FACT,
CONCLUSIONS AND
RECOMMENDATION

The above-entitled matter came on for hearing before Administrative Law Judge Peter C. Erickson of the Minnesota Office of Administrative Hearings at 9:00 a.m. on Friday, February 19, 1993, at the Office of the Attorney General, Suite 500, 525 Park Street, in St. Paul, Minnesota. The record closed at the conclusion of the hearing.

Audrey Kaiser Manka, Special Assistant Attorney General, 525 Park Street, Suite 500, St. Paul, Minnesota 55103-2106, appeared on behalf of the Minnesota Board of Nursing (Board). The Licensee, David R. Slayton, 985 Brown Street, Barry, Illinois 62312, did not appear at the hearing.

This Report is a recommendation, not a final decision. The Board of Nursing will make the final decision after a review of the record which may adopt, reject or modify the Findings of Fact, Conclusions, and Recommendations contained herein. Pursuant to Minn. Stat. 14.61, the final decision of the Board shall not be made until this Report has been made available to the parties to the proceeding for at least ten days. An opportunity must be afforded to each party adversely affected by this Report to file exceptions and present argument to the Board. Parties should contact Joyce M. Schowalter, Executive Director, Minnesota Board of Nursing, 2700 University Avenue West, Suite 108, St. Paul, Minnesota 55114, telephone: 612/642-0567, to ascertain the procedure for filing exceptions or presenting argument.

STATEMENT_QF ISSUE

The issue to be determined in this contested case proceeding is whether grounds exist to take disciplinary action against the Licensee's license as a registered nurse.

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

FINDINGS_QF FACT

1. The Notice of and Order for Hearing in this matter was served upon the Licensee by first-class mail on January 8, 1993. The Licensee did not

file a Notice of Appearance or contact the Judge in any way concerning reasons for his non-appearance herein.

2. The allegations contained in the Notice of and Order for Hearing are hereby adopted by reference as facts herein.

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

CONCLUSIONS OF-LAW

1. The Minnesota Board of Nursing and the Administrative Law Judge have jurisdiction over this matter pursuant to Minn. Stat. 14.50 and 148.262 (1992). The Notice of and Order for Hearing were in all respects proper and the Board has complied with all substantive and procedural requirements of law and rule.

2. The Licensee, having failed to appear in this matter, is in default. Pursuant to Minn. Rule 1400.6000, the allegations and issues contained in the Notice of and Order for Hearing are hereby taken as true.

3. The Licensee has violated Minn. Stat. 148.261, subd. 1(4). This violation constitutes sufficient grounds to take disciplinary action against the Licensee's license.

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

RECOMMENDATION

IT IS RESPECTFULLY RECOMMENDED that the Minnesota Board of Nursing take appropriate disciplinary action against the license of David R. Slayton.

day of February, 1993.

Dated this

PETER C. ERICKSON
Administrative Law Judge

NOTICE

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

Reported: Default.

