



Effective August 6, 2015

Protecting, maintaining and improving the health of all Minnesotans

June 18, 2015

Ms. Helen Ann Dingle

RE: MDH File Number: OTC15019

Dear Ms. Dingle:

Based on the facts and law in this matter as described in the enclosed Staff Determination, the Minnesota Department of Health (MDH) has determined that you are not currently able to practice occupational therapy with reasonable judgment, skill or safety due to a mental or physical impairment, in violation of Minnesota Statutes, section 148.6448, subdivision 1(6) and 1(23). Therefore, MDH is placing a condition on your license and restricting your practice until you have been evaluated and cleared for practice by the Health Professionals Services Program. This action is authorized by Minnesota Statutes, section 148.6448.

This decision will be made final and effective 30 days from the date it is received by you. During that 30-day period, you have the right to challenge this decision in a contested-case hearing, as provided under Minnesota Statutes, Chapter 14. Requests for a hearing should be made in writing and include specific grounds for challenging the Department's decision. If you wish to request a hearing, please send a written hearing request, within 30 days of your receipt of this letter, to:

Gilbert Acevedo, Director
Health Occupations Program
Minnesota Department of Health
PO Box 64882
Saint Paul, MN 55164-0882

You may also deliver your request to 85 East Seventh Place, Suite 220, Saint Paul, MN; or fax it to Mr. Acevedo at (651)201-3839. If you have any questions about this matter, please contact Catherine Dittberner Lloyd at (651)201-3706.

Sincerely,

A handwritten signature in black ink, appearing to read "Darcy Miner", is written over the signature line.

Darcy Miner, Director
Health Regulation Division

Enclosure

cc: Anne Kukowski, Assistant Director, Health Occupations Program

**HEALTH OCCUPATIONS PROGRAM
MINNESOTA DEPARTMENT OF HEALTH**

**A Determination In the Matter of
Helen Ann Dingle
Occupational Therapist, License Number 101157**

AUTHORITY

1. The Minnesota Department of Health (MDH) has the authority to discipline occupational therapists for violations of Minnesota Statutes, section 148.6448. Pursuant to Minnesota Statutes, section 148.6448, subdivision 3, the types of discipline MDH may impose include, but are not limited to: issuing a conditional license, placing restrictions on licensure and any reasonable lesser action authorized by statute. Pursuant to Minnesota Statutes, section 13.41, disciplinary actions are public data.
2. Pursuant to Minnesota Statutes, section 148.6448, subdivision 1(6), MDH may issue a license with conditions or take disciplinary action against an occupational therapist for failure to perform occupational therapy with reasonable judgement, skill or safety due to a physical or mental impairment.
3. Pursuant to Minnesota Statutes, section 148.6448, subdivision 1(23), MDH may issue a license with conditions or take disciplinary action against an occupational therapist for just cause related to the practice of occupational therapy.
4. Pursuant to Minnesota Statutes, section 148.6448, subdivision 6, MDH is authorized to contract with the Health Professional Services Program as authorized by sections 214.31 to 214.37.

FINDINGS OF FACT

1. On January 17, 1997, Helen Ann Dingle (hereinafter "Practitioner") was licensed as an occupational therapist in the State of Minnesota by the Department of Health, under license number 101157. Practitioner has renewed her license biennially and has a current license to practice occupational therapy. Practitioner's license is due to expire on February 28, 2017.
2. On May 15, 2015, MDH received information indicating Practitioner was not able to practice occupational therapy with reasonable judgement, skill or safety due to
3. On May 18, 2015, MDH referred Practitioner to the Health Professionals Services Program (HPSP) for voluntary enrollment in order to determine if she is eligible to participate in the program. Practitioner was given until June 1, 2015 to contact HPSP, or MDH would

temporarily suspend her right to practice occupational therapy until completion of an investigation into her ability to safely practice.

4. On June 4, 2015, HPSP unsatisfactorily discharged Practitioner from HPSP for failure to contact the agency by June 1, 2015.
5. On June 9, 2015, MDH learned Practitioner is not currently practicing as an occupational therapist. Further, Practitioner is not in a position to provide occupational therapy.

CONCLUSION

Practitioner was unsatisfactorily discharged from HPSP because she was unable to contact HPSP within the time frame requested by MDH. This constitutes a violation of Minnesota Statutes, section 148.6448, subdivision 1(6) and 1(23). MDH has sufficient evidence indicating Practitioner is not able to perform occupational therapy with reasonable judgement, skill or safety, which constitutes grounds for placing a restriction on Practitioner's occupational therapy license until she has been evaluated and cleared by HPSP.

DETERMINATION

1. Practitioner's occupational therapy license is restricted and conditioned as follows:
 - a. Practitioner may not provide occupational therapy services until HPSP determines she is able to provide occupational therapy with reasonable judgment, skill, and safety.
2. If Practitioner does not contact and enroll in HPSP within 30 days of her receipt of this Determination, Practitioner's occupational therapy license shall be temporarily suspended. The temporary suspension will remain in effect until such time as MDH completes an investigation surrounding practitioner's ability to safely and competently practice occupational therapy.
3. Practitioner may request reinstatement of a full and unrestricted license upon completion of the HPSP program. Practitioner's request must be in writing and mailed to: Investigation and Enforcement Unit, Health Occupations Program, MDH, PO Box 64882, Saint Paul, MN 55164-0882. Practitioner must include in her written request for reinstatement of an unconditional license verification from HPSP that she successfully completed a program and she is able to safely and competently practice occupational therapy.