



Effective March 21, 2014

February 14, 2014 *Protecting, maintaining and improving the health of all Minnesotans*

Denise Lynn Hawkinson

RE: MDH File Number: SPC14001

Dear Ms. Hawkinson:

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 withdrew from the Health Professionals Services Program (HPSP) before you completed the program in violation of Minnesota Statutes, section 148.5195, subdivision 3, clause (5) and (11). Therefore, MDH is suspending your speech language pathologist license. In lieu of suspension, you may request a conditional license. To request a conditional license, you must make a written request for a conditional license and enroll in HPSP within 30 days of your receipt of this Determination. If you do not request a conditional license and enroll in HPSP, your license will be suspended for not more than twelve months. During the twelve-month suspension, MDH will investigate your practices as a speech language pathologist to determine the appropriate action based on its findings and as authorized by section 148.5195.

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:

Anne Kukowski, MS, JD
Assistant 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 Ms. Kukowski 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 typed name.

Darcy Miner, Director
Compliance Monitoring Division

Enclosure

cc: Anne Kukowski, Assistant Director, Health Occupations Program

**HEALTH OCCUPATIONS PROGRAM
MINNESOTA DEPARTMENT OF HEALTH**

**A Determination In the Matter of
Denise Lynn Hawkinson
Speech-Language Pathologist**

AUTHORITY

1. The Minnesota Department of Health (MDH) has the authority to discipline Speech-Language Pathologists for violations of Minnesota Statutes, section 148.5195. Pursuant to Minnesota Statutes, section 148.5195, subdivision 4, the types of discipline MDH may impose include suspension of the right to practice and any reasonable lesser action.
2. Pursuant to Minnesota Statutes, section 148.5195, subdivision 3, clause (5), MDH may take disciplinary action against a speech language pathologist for failure to perform the services of a speech language pathologist with reasonable judgment, skill or safety due to the use of alcohol, drugs or other physical or mental impairment.
3. Pursuant to Minnesota Statutes, section 148.5195, subdivision 3, clause (9), MDH may take disciplinary action against a speech language pathologist for failure to cooperate in an investigation.
4. Pursuant to Minnesota Statutes, section 148.5195, subdivision 3, clause (11), MDH may take disciplinary action against a speech language pathologist for engaging in conduct likely to harm the public.
5. Pursuant to Minnesota Statutes, section 148.5195, subdivision 7, MDH has the authority to refer licensed Practitioners to the Health Professionals Services Program as authorized by section 214.31 to 214.37 in addition to or in lieu of taking disciplinary action.

FINDINGS OF FACT

1. Denise Lynn Hawkinson (hereinafter "Practitioner") has been licensed as a speech-language pathologist by MDH since July 10, 2008.
2. By memorandum dated June 21, 2013, the Health Professionals Services Program (HPSP) notified MDH that HPSP discharged Practitioner from their program at Practitioner's request. According to HPSP:
 - a. On February 1, 2012, Practitioner self-reported and enrolled in HPSP due to

- b. On February 23, 2012, Practitioner signed a Participation Agreement and Monitoring Plan with HPSP. Under the Plan, Practitioner agreed to submit quarterly reports, report changes in her treatment plan and providers, meet with HPSP as needed and remain in the program for a minimum of 36 months.
 - c. Practitioner was scheduled to complete the HPSP program on February 27, 2015.
 - d. Practitioner withdrew from the program on June 21, 2013.
3. By letter dated January 3, 2014, MDH sent a letter to Practitioner regarding her withdrawal from HPSP before program completion. MDH notified Practitioner under Minnesota Statutes, section 148.5195, subdivision 2(5), MDH has the authority to investigate and take disciplinary action against a licensee for a condition which may result in her inability to practice speech-language pathology safely. MDH provided Practitioner with information about HPSP and asked that she enroll in HPSP and sign a participation agreement on or before January 17, 2014.
 4. On January 23, 2014, MDH received information indicating Practitioner had not contacted HPSP. MDH sent a second letter to Practitioner and advised her if she did not contact HPSP by January 31, 2014, MDH would pursue disciplinary action against her speech language pathology license.
 5. On February 3, 2014, HPSP notified MDH Practitioner did not contact HPSP to enroll in the program and sign a participation agreement.

CONCLUSION

Practitioner withdrew from the HPSP program prior to program completion in violation of Minnesota Statutes, section 148.5195, subdivision 3, clause (5) and (11).

DETERMINATION

1. Practitioner's license is hereby suspended.
2. In lieu of suspension, Practitioner may request a conditional license. To qualify for a conditional license, within 30 days of Practitioner's receipt of this Determination, Practitioner must:
 - a. Make a written request for a conditional license and state the reason why Practitioner believes the conditional license should be issued. Practitioner's request must be sent to Ms. Anne Kukowski, Acting Director of the Health Occupations Program, Minnesota Department of Health, P.O. Box 64882, Saint Paul, MN 55164-0882.

- b. Contact and enroll in HPSP, sign a Participation Agreement and Monitoring Plan, and cooperate with all requirements and instructions of HPSP Staff.
 - c. Practitioner will be issued a conditional license upon receipt of information from HPSP that Practitioner has enrolled and is cooperating with HPSP staff, her providers, and the monitoring plan.
3. Practitioner may request removal of the conditional license upon successful completion of the HPSP program. The request for removal of the conditional license must be in writing and include documentation from HPSP of Practitioner's successful program completion.
4. If Practitioner does not request reinstatement of a conditional license within 30 days of her receipt of this Determination, her speech language therapy license will be suspended for not more than twelve months.
 - a. During the period of suspension, MDH will conduct an investigation and determine if further action should be taken regarding Practitioner's license, including but not limited to the assessment of civil penalties, continuing education, revocation or other action as authorized by Minnesota Statutes, section 148.5195.
 - b. Practitioner must comply with all requests for information and documents as required by section 148.5195, subdivision 3, clause (11).