

Effective 03/05/12



*Protecting, maintaining and improving the health of all Minnesotans*

October 22, 2010

Ms. Nancy Marie Solie

RE: MDH File Number: SPC11001

Dear Ms. Solie:

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 did not cooperate with an MDH investigation, in violation of Minnesota Statutes, section 148.5195, subdivision 3(2). Therefore, MDH is suspending your speech-language pathology license until you cooperate with the investigation. You must submit continuing education hours originally due by May 31, 2009, and pay a civil penalty in the amount of \$794. This action is authorized under Minnesota Statutes, section 148.5195, subdivision 4(2). Please note, that, pursuant to Minnesota Statutes, section 148.5195, subdivision 4, if you fail to cooperate with the MDH investigation within one year of the date of this letter, your right to provide speech-language pathology services in the State of Minnesota will be revoked.

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:

Tom Hiendlmayr, JD  
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. Hiendlmayr at (651)201-3839. If you have any questions about this matter, please contact Kyle Renell at (651)201-3727.

Sincerely,

*Nancy Miner*  
Darcy Miner, Director  
Compliance Monitoring Division

Enclosure

cc: Tom Hiendlmayr, Director of the Health Occupations Program

**HEALTH OCCUPATIONS PROGRAM  
MINNESOTA DEPARTMENT OF HEALTH**

**A Determination In the Matter of  
Nancy Marie Solie  
Formerly Known As Nancy Marie Lee  
Speech-Language Pathologist**

**AUTHORITY**

1. Pursuant to Minnesota Statutes, section 148.5195, subdivision 3(2), the commissioner may take disciplinary action on proof that an individual has failed, within 30 days, to provide information in response to a written by the commissioner or advisory.
2. Pursuant to Minnesota Statutes, section 148.5195, subdivision 4(2), possible disciplinary actions including suspension for a period not to exceed one year.
3. Pursuant to Minnesota Statutes, section 148.5195, subdivision 5, the department may assess a civil penalty not to exceed \$10,000 to reimburse the department for costs of investigation.
4. Pursuant to Minnesota Statutes, section 148.5195, subdivision 6, a practitioner whose license is suspended may petition for reinstatement after meeting the requirements stated in Minnesota Statutes, section 148.5191.
5. Pursuant to Minnesota Statutes, section 148.5191, subdivision 2, an applicant must meet the continuing education requirements and submit evidence of attending continuing education courses.

**FINDINGS OF FACT**

1. Nancy Marie Solie, formerly known as Nancy Marie Lee [hereinafter "Practitioner"], has been credentialed as a speech language pathologist since August 6, 1999. Her license is currently due to expire on May 31, 2011.
2. By letter dated March 4, 2009, Credentialing staff notified Practitioner that her license was due to expire on May 31, 2009. Practitioner was provided with a continuing education (CE) report and advised that she needed to report 30 CE hours by May 31, 2009.
3. By application dated April 26, 2009, and received on May 1, 2009, Practitioner applied for renewal of her license.

4. By letter dated May 20, 2009, Credentialing staff notified Practitioner that her license had been renewed. Credentialing staff further advised Practitioner that her CE report had not been received and was due by June 30, 2009.
5. By reminder letter dated June 23, 2009, Credentialing staff notified Practitioner that her CE report had not been received and was due by June 30, 2009.
6. By letter dated March 26, 2010, Credentialing staff notified Practitioner that her CE report had not been received. Practitioner was instructed to provide the information by April 26, 2010.
7. By letter dated July 28, 2010, Credentialing staff notified Practitioner that her CE report for the renewal period ending May 31, 2009, had not been received. Practitioner was assessed a CE penalty in the amount of \$700 and instructed to remit her payment within 30 days and that failure to do so might result in discipline. Practitioner was also reminded that she would owe an additional 30 CE hours by June 30, 2011.
8. By letter dated September 8, 2010, Credentialing staff notified Practitioner that her response had not been received. Practitioner was reminded that she needed to respond within 30 days and that failure to do so may result in disciplinary action.
9. A review of Practitioner's Credentialing file, conducted by Investigations and Enforcement (I&E) staff, revealed that all communications sent to Practitioner by Credentialing staff were mailed to "1121 North Arm Drive, Orono, MN 55364", the last known address submitted by Practitioner on her 2009 renewal application. On October 13, 2010, I&E staff verified with the City Administrator's Office, City of Orono, MN, that the Solie family currently resides at that address.

#### **CONCLUSION**

1. Practitioner failed to respond to multiple written requests from the commissioner, in violation of Minnesota Statutes, section 148.5195, subdivision 3(2).

#### **DETERMINATION**

1. Practitioner's license is suspended.
2. For reinstatement of her right to provide speech language pathology services in the State of Minnesota, Practitioner must:
  - A. Request in writing that her license be reinstated;
  - B. Submit the 30 CE hours due to for the renewal period ending May 31, 2009; and

- C. Pay a civil penalty of \$794.00, representing the amount of the CE penalty assessed on July 28, 2010, and to reimburse MDH for costs of investigations and proceedings to date. Related to the civil penalty:
- i. Practitioner may pay the \$794.00 civil penalty in monthly installments of up to four months after the effective date of this action. If Practitioner chooses to make installments, she must notify MDH in writing about [his/her] intentions, including how many installments she intends to make, in what amount, and over which time period. Practitioner must send this information to: Kyle Renell, PO Box 64882, Saint Paul, MN 55164-0882, within 30 days of receipt of this document.
  - ii. Each payment will be made by check payable to "State of Minnesota, Treasurer", and mailed to Kyle Renell, PO Box 64882, Saint Paul, MN 55164-0882, or any other address specified by MDH. Each payment is due by the last day of each month; however, Practitioner may prepay at any time.
  - iii. The penalty may be referred to the Minnesota Collection Enterprise (MCE), part of the Minnesota Department of Revenue, or any other source for collection, if Practitioner misses a monthly payment by 14 calendar days after the established deadline. When this Order for a penalty becomes public and MDH refers the matter to MCE, MCE is authorized by Minnesota Statutes, section 16D.17, to obtain a judgment against Practitioner without further notice or proceedings.