



MINUTES  
South Dakota Board of Nursing  
Board of Directors  
July 18-19, 2013

**Board Members:**

Diana Berkland, RN; President  
Christine Callaghan, LPN  
Teresa Disburg, RN; Secretary  
John Jones, Public Member  
June Larson, RN; Vice President  
Adrian Mohr, Public Member  
Jean Murphy, RN  
Nancy Nelson, RN  
Sharon Neuharth, LPN  
Kristin Possehl, RN  
Mary C. Schmidt, LPN

**Staff Present:**

Gloria Damgaard, RN, Executive Director  
Stephanie Orth, RN, Nursing Program Specialist  
Kathleen Tinklenberg, RN, Nursing Program Specialist  
Linda Young, RN, Nursing Program Specialists  
Erin Matthies, Licensure Operations Manager  
Jill Vanderbush, Licensure Specialist  
Robert Garrigan, Business Manager  
Kristine O'Connell, Board Attorney

**Guests:**

Susan Sporrer, South Dakota Department of Health  
Sherry Grismeri with Health Professional Assistance Program  
Sue Harris From Health Professional Assistance Program  
Dick Johnson representing Cary Myers

**1. Call to Order and Roll Call** President D Berkland called the meeting to order at 8:56am on June 18, 2013.

**2. February 28 & March 1, 2013 Board Meeting Minutes** The May 30, 2013 Board Meeting minutes were approved in a unanimous voice vote.

**3. Agenda Approval**

**MOTION** The Board moved to approve the agenda as presented in a unanimous voice vote.

**4. Financial Report** R Garrigan presented the Income Statement for April 2013 and Financial Report for FY 2013 and responded to Board questions.

**MOTION** N Nelson moved that the South Dakota Board of Nursing approve the 2014 budget as presented. Seconded by S Neuharth.

|           |     |        |     |          |                |
|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

**MOTION** J Larson moved that the South Dakota Board of Nursing approve the annual disbursement of nursing education loans to the fifty-three applicants as presented. Seconded by J Jones.

|           |     |        |     |          |                |
|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

**5. Reports**

**A. NCLEX 1<sup>st</sup> Quarter (2<sup>nd</sup> Qtr available July 20<sup>th</sup>)** S Orth presented results and responded to Board questions.

**B. Criminal Background Check Results FY 2012-2013** K Tinklenberg presented CBC information and responded to Board questions.

**C. The Future of Nursing Scholars Program** L Young reported on this opportunity to increase nurses entering the fast track PhD program which encourages nurses to work full time to fast track their PhD.

**D. CCNE USD Accreditation** S Orth reported that The University of South Dakota is accredited through June 2018.

**E. NLNAC Change to ACEN 2013** S Orth presented changes and responded to Board questions.

**F. National Forum of State Workforce Centers Annual Meeting** L Young reported on the meeting and responded to Board questions

**G. 2012 CORE State Report – Vol 1:** Deferred until September Board Meeting

Discipline

**6. Open Forum**

No one requested the opportunity to address the Board.

**7. Environmental Scan**

**A.** NCSBN Award Ceremony to Honor Outstanding Nurse Regulators

G Damgaard reported on the press release and responded to Board questions.

**B.** Legal Victory in Iowa Upholding Regulations Expanding Scope of Practice for Advanced Registered Nurse Practitioners

G Damgaard discussed the expanding scope and responded to Board questions.

**C.** NCSBN to Host its Annual NCLEX Conference

G Damgaard discussed this one day event in Chicago and responded to Board questions.

**D.** Federation of State Medical Boards to Explore Use of Interstate Compact for Physician Licensure

G Damgaard reported that there is interest in an interstate compact licensure for physicians.

**E.** NCSBN Board of Directors Approves Passing Standard for Michigan English Language Assessment Battery (MELAB)

G Damgaard discussed the standard of passing for English as a second language nursing applicants.

**8. Unfinished Business**

**A.** Registration of Dialysis Technicians

L Young presented information about registration of dialysis technicians with the purpose of maintaining a list of graduates and having the technicians sit for a test within 18 months of hire date.

**B.** Registration of Medication Assistants

L Young presented information and responded to Board questions on the process to register medication assistants. A legal review of the process will be conducted by K O’Connell and presented at a subsequent meeting. L Young also presented a request to continue the Virtual Nurse pilot project to allow those nurses in the project to continue to delegate insulin administration to trained unlicensed school personnel.

**MOTION**

K Possehl moved that the South Dakota Board of Nursing direct Board of Nursing staff to pursue the development of a standardized exam for medication administration by medication aides. Seconded by C Callaghan.

|           |     |        |     |          |                |
|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

**MOTION**

K Possehl moved that the South Dakota Board of Nursing approve the continuation of the Virtual Nurse Pilot Project, with re-evaluation in July, 2014.

Seconded by M Schmidt.

|           |     |        |     |          |                |
|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

C. Licensure Database Update                      Deferred until September Board Meeting

D. Strategic Planning Session Update           Rescheduled for Wednesday, November 6, 2013

**9. New Business**

A. SGU Site Visit Report                              Requested extension, extension granted.

B. Clinical Enrichment Program –                      S Orth presented information about the amended program with the ultimate  
Avera St. Luke    goal to hire students as new graduates and facilitate retention of new hires.

**MOTION**

J Larson moved that the South Dakota Board of Nursing approve Avera St. Luke's request for a Nursing Pre-graduate Development program as an extension of the Clinical Enrichment Program. Seconded by K Possehl.

|           |     |        |     |          |                |
|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

C. Personnel

**MOTION**

J Larson moved to enter executive session, pursuant to SDCL § 1-25-1(3) for the purpose of Personnel. Seconded by K Possehl.

D. Nursing Practice Committee                      L Young presented information and responded to Board questions.

**MOTION**

K Possehl moved that the South Dakota Board of Nursing approve the continuing development of the Nursing Practice Committee. Seconded by C Callaghan.

|           |     |        |     |          |                |
|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

E. Board Member Educational                      Dr. Sandra Bunkers presented.  
Development

F. Discipline    Minutes of the July 2013 Discipline Committee Minutes were approved by the  
Committee prior to this meeting.

**Consent Agenda Approval July 2013**

- 1) S.J.A.-No change.
- 2) Eric Matthew Avery, P011151, Request Voluntary Surrender; if not agreed upon, Summary Suspension
- 3) B.L.N.-Mandate HPAP five years
- 4) D.J.E.-Mandate HPAP one year as Rule-Out-Risk

- 6) A.F.H.-Grant licensure pending successful NCLEX-PN; Mandate HPAP for remainder of her HPAP Participation Agreement
- 9) O.J.B.-Letter of Concern and Remediation
- 10) S.D.M.-Letter of Concern and Remediation
- 11) V.A.M.-Dismiss
- 12) R.K.F.-Dismiss
- 13) D.R.K.-Dismiss
- 14) Shelly Heckenliab-Letter of Reprimand and Remediation
- 19) J.T.S.-Dismiss
- 20) S.K.B.-Grant Licensure pending successful NCLEX
- 21) J.L.C.-Dismissed
- 22) A.S.-Dismissed
- 23) B.M.G.-Letter of Concern
- 24) P.L.J.-Dismissed
- 25) J.L.M.C.-Grant Licensure with Letter of Concern
- 26) R.L.M.-Letter of Concern
- 27) Starla Beth Vander Molen, R024252, Letter of Reprimand

**MOTION**

T Disburg moved that the South Dakota Board of Nursing approve the Consent Agenda provided by the Discipline Committee with the exception of cases #5KR, #7AIL, #8JRK, #15KRW, #16KB, #17AMM, #18AMM and #28JED. Seconded by N Nelson.

|           |     |        |     |          |                |
|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

K.R.-K Tinklenberg, Nursing Program Specialist, presented background. N Nelson recused herself.

**MOTION**

J Murphy moved that the South Dakota Board of Nursing issue a Letter of Concern. Seconded by J Larson.

|           |     |        |         |          |                |
|-----------|-----|--------|---------|----------|----------------|
| Berkland  | Yes | Larson | Yes     | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes     | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes     | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Recused | 10 Yes   | MOTION Carried |

A.I.L.-K Tinklenberg, Nursing Program Specialist, presented background. C Callaghan recused herself.

**MOTION**

N Nelson moved that the South Dakota Board of Nursing grant RN licensure to A.I.L. and mandate HPAP as Rule-Out-Risk. Seconded by S Neuharth.

|           |         |        |     |          |                |
|-----------|---------|--------|-----|----------|----------------|
| Berkland  | Yes     | Larson | No  | Neuharth | Yes            |
| Callaghan | Recused | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes     | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes     | Nelson | Yes | 9 Yes    | MOTION Carried |

J.R.K.-K Tinklenberg, Nursing Program Specialist, presented background.

**MOTION**

S Neuharth moved that the South Dakota Board of Nursing mandate 5 year of

HPAP to J.R.K. to determine when to lift the Voluntary Refrain. Seconded by J Jones.

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|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

K.R.W.-K Tinklenberg, Nursing Program Specialist, presented background.

**MOTION**

J Murphy moved that the South Dakota Board of Nursing issue a Letter of Concern and Remediation. Seconded by J Larson.

|           |     |        |     |          |                |
|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

Ann Marie Mechtenberg, R028205- K Tinklenberg, Nursing Program Specialist, presented background.

**MOTION**

T Disburg moved that the South Dakota Board of Nursing request Voluntary Surrender of the RN license of Ann Marie Mechtenberg. If not agreed upon, summarily suspend the license and notice of hearing. Seconded by M Schmidt.

|           |     |        |     |          |                |
|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

J.E.D.- K Tinklenberg, Nursing Program Specialist, presented background. N Nelson recused herself.

**MOTION**

J Murphy moved that the South Dakota Board of Nursing dismiss the complaint regarding J.E.D. Seconded by K Possehl.

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| Berkland | Yes | Larson | Yes | Neuharth | Yes |
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|-----------|-----|--------|---------|---------|----------------|
| Callaghan | Yes | Murphy | Yes     | Possehl | Yes            |
| Disburg   | Yes | Mohr   | Yes     | Schmidt | Yes            |
| Jones     | Yes | Nelson | Recused | 10 Yes  | MOTION Carried |

Cary David Myers, R027133, Formal Appearance. Board Attorney K O’Connell and Nursing Program Specialist K Tinklenberg presented background. C Myers had his attorney, Dick Johnson, present and he provided testimony. C Myers provided testimony and responded to Board questions.

**MOTION**

K Possehl moved that the South Dakota Board of Nursing reinstate the license of Cary David Myers with one year probation and continued counseling. The Board will reevaluate the probation at the end of one year. Seconded by N Nelson.

|           |         |        |     |          |                |
|-----------|---------|--------|-----|----------|----------------|
| Berkland  | Recused | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes     | Murphy | Yes | Possehl  | Yes            |
| Disburg   | No      | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes     | Nelson | Yes | 9 Yes    | MOTION Carried |

Jesse J Freeburg, R036957, Formal Appearance. Board Attorney K O’Connell and Nursing Program Specialist K Tinklenberg presented background. J Freeburg provided testimony and responded to Board questions.

**MOTION**

N Nelson moved that the South Dakota Board of Nursing reinstate the license of Jesse J Freeburg’s license with probation. Also continue 5 years of HPAP with credit for time already served. Seconded by S Neuharth.

|           |         |        |     |          |                |
|-----------|---------|--------|-----|----------|----------------|
| Berkland  | Abstain | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes     | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes     | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes     | Nelson | Yes | 10 Yes   | MOTION Carried |

Elizabeth Stearns, P010417, Formal Appearance. Board Attorney K O’Connell and Nursing Program Specialist K Tinklenberg presented background. E Stearns provided testimony and responded to Board questions.

**MOTION**

N Nelson moved that the South Dakota Board of Nursing reinstate the LPN license of Elizabeth Stearns with continued probation and participation in HPAP with credit for time served. Seconded by J Larson.

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|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

Samantha Deome, R035288, Formal Appearance. Board Attorney K O’Connell and Nursing Program Specialist K Tinklenberg presented background. S Deome provided testimony and responded to Board questions.

**MOTION**

J Larson moved that the South Dakota Board of Nursing reinstate the RN license of Samantha Deome with mandated participation in HPAP. Seconded by J Jones.

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| Berkland | Yes | Larson | Yes | Neuharth | Yes |
|----------|-----|--------|-----|----------|-----|

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|-----------|-----|--------|-----|---------|----------------|
| Callaghan | Yes | Murphy | Yes | Possehl | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes  | MOTION Carried |

**G. Review of SDCL 36-9**

G Damgaard provided information on potential statute changes and responded to Board questions.

**MOTION**

K Possehl moved that the South Dakota Board of Nursing approve the proposed amendment to 36-9 and 36-9A with a report back to the Board of Nursing in September on statutory changes. Seconded by M Schmidt.

|           |     |        |     |          |                |
|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

**10. Upcoming Events**

SD CNW Collaborative Nursing Leadership Conference, Sioux Falls, SD, July 30 – August 1, 2013

NCSBN Delegate Assembly, Providence, RI, August 13-16, 2013

Interprofessional Education (IPE) Summit, Chamberlain, SD, August 20, 2013

Annual SD BON APN Advisory Committee, Sioux Falls, SD, August 23, 2013

**MOTION**

J Murphy moved that the South Dakota Board of Nursing approve travel for Kathy Tinklenberg to Washington, DC in October, 2013. Seconded by N Nelson.

|           |     |        |     |          |                |
|-----------|-----|--------|-----|----------|----------------|
| Berkland  | Yes | Larson | Yes | Neuharth | Yes            |
| Callaghan | Yes | Murphy | Yes | Possehl  | Yes            |
| Disburg   | Yes | Mohr   | Yes | Schmidt  | Yes            |
| Jones     | Yes | Nelson | Yes | 11 Yes   | MOTION Carried |

**Adjourned at 2:34PM**