

by HPAP that Licensee had been arrested for his fourth DWI; and

WHEREAS, Licensee has agreed that he would surrender his South Dakota nursing license; and

WHEREAS, the South Dakota Board of Nursing ("the Board") has a statutory obligation to protect the public health, safety and welfare set forth in SDCL §36-9, including the protection of the public from unsafe nursing practices and practitioners; and

WHEREAS, Licensee agrees that the matters under investigation would be of a nature that would constitute grounds for the discipline of his license to practice nursing in South Dakota under SDCL § 36-9-49; and

WHEREAS, the Licensee agrees that he enters into this Voluntary Surrender Consent Order voluntarily and without duress or compulsion, in full understanding of the legal consequences of this document and his rights; therefore,

ITS IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Voluntary Surrender Consent Order.

2. That the Licensee, on October 3, 2002, entered into a Participation Agreement with the South Dakota Health Professionals Assistance Program ("HPAP") for alcohol abuse. On May 12, 2004, the monitoring contract for Licensee was amended to increase monitoring, limit his work hours, and re-enforce the need for submitting required reports. HPAP meetings were increased to twice per month.

On October 29, 2004, Licensee made application to the Board of Nursing for renewal of his license and disclosed that he had pending criminal charges against him due to a third DWI arrest. Licensee was required to make an appearance before the Board. On November 18, 2004, after his appearance, the Board voted to allow Licensee to renew his license and mandated his continued participation in HPAP.

On February 14, 2006, a quarterly report from HPAP raised concerns regarding Licensee's narcotic use for pain. On March 6, 2006, the Board of Nursing was notified by HPAP that Licensee had been arrested for his fourth DWI and now intends to leave the profession of nursing as a registered nurse.

3. That the Licensee has been given an opportunity to discuss this Voluntary Surrender Consent Order with an attorney of Licensee's choice, and is aware of his right to a hearing in this matter, and of his rights under the United States and South Dakota Constitutions, laws, rules and/or regulations. Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or any other rights under said Constitutions, laws, rules and/or regulations. Licensee also agrees that the Board's Executive Secretary or his designee may present this Voluntary Surrender Consent Order to the Board and disclose to the Board all items of his investigation, including, but not limited to, any communications with Licensee.

4. That the Licensee's license to practice nursing in South Dakota shall be surrendered and the Board shall suspend said license for an indefinite period from the

date of this Order. Licensee may apply to have his license reinstated for good cause shown.

5. That nothing in this Voluntary Surrender Consent Order should imply that the Licensee shall be reinstated. Licensee recognizes that the reinstatement terms, as well as the requirements for reinstatement, are at the sole discretion of the Board.

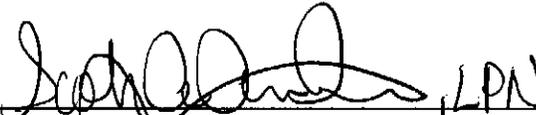
6. That if the Licensee requests reinstatement, Licensee has the burden of presenting information showing that Licensee's license should be reinstated.

7. That it is further stipulated and agreed that this Voluntary Surrender Consent Order is being entered into voluntarily by the Licensee and without threats or coercion and is entered into after the Licensee has been given ample opportunity to consider these matters and to discuss this Voluntary Surrender Consent Order with an attorney of Licensee's choice and that the Licensee has a full understanding of the legal consequences of this Voluntary Surrender Consent Order and of the Licensee's rights to a formal hearing on these matters, which rights are hereby waived by the signing of this Voluntary Surrender Consent Order.

8. That the Board may enter an Order consistent with the terms of this Stipulation.

NOW, THEREFORE, the foregoing Voluntary Surrender Consent Order is entered into and is respectfully submitted to the Board with the request that the Board adopt its terms as an Order of the Board in the above matter

Dated this 08 day of April, 2006.

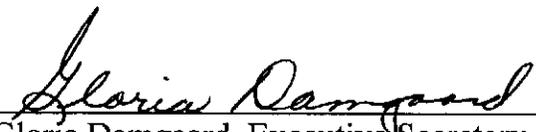


Scott A. Archer, L.P.N., Licensee

The South Dakota Board of Nursing meeting on the 19th day of April, 2006,
(approved)(rejected) the attached Voluntary Surrender Consent Order (as written)(with
the following modifications):

and issued its Order as follows:

IT IS HEREBY ORDERED that the above Voluntary Surrender Consent Order is
adopted shown herein by the South Dakota Board of Nursing this 19th day of April,
2006, by vote of 8-0.



Gloria Damgaard, Executive Secretary
South Dakota Board of Nursing