



WHEREAS, the Licensee recognizes that these matters are of a nature which would constitute grounds for the discipline of her license to practice nursing in South Dakota under SDCL §36-9-49; 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, the Licensee has requested that the Board's Executive Secretary present this Stipulation to the Board for action and recognizes that the Board may approve this Stipulation, reject it, or modify it; and

WHEREAS, in the event the Board, in its discretion, does not approve this settlement or a lesser remedy than indicated in this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party at any future hearing or proceeding. Licensee agrees that if the Board rejects this Stipulation and this case proceeds to hearing, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or any of the records or information relating hereto; and

WHEREAS, the Licensee has expressed a desire to resolve this matter without the necessity of additional formal disciplinary proceedings and hearings; and

WHEREAS, it is the intent of this Stipulation to provide for a settlement of the licensing issues presented by the Licensee's conduct, in a professional manner, without the necessity of further hearings and proceedings herein, and to provide for a responsible solution; now, therefore,

IT 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 Stipulation.
2. That the Licensee has entered into a Stipulation and Order with the Colorado Board of Nursing to voluntarily and permanently relinquish her nursing license and right to practice as professional nurse in the State of Colorado and she wishes to enter into a voluntary suspension of her nursing license with the State of South Dakota.
3. That the Licensee has been given an opportunity to discuss this Stipulation with an attorney of Licensee's choice, and is aware of her right to a hearing in this matter, and is aware of all 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 is entering into this Stipulation voluntarily and without duress or compulsion. Licensee also agrees that the Board's Executive Secretary may present this Stipulation to the Board and disclose to the Board all items of her investigation,

including, but not limited to, any communications with Licensee.

4. That the Licensee's license to practice nursing be suspended for an indefinite period, not to be less than six months. During this time, Licensee shall enter into or continue in the Health Professionals Assistance Program ("HPAP") and demonstrate full compliance with this Program. Licensee shall pay for all costs and expenses associated with HPAP.

5. That the Licensee agrees to release medical records from the office of Dr. Cavanaugh, psychiatrist, and Bill Huisken, Counselor at Bethesda Christian Counseling Center, and/or any other mental health provider who provided treatment from September, 2003, to present. These medical records shall be supplied to the South Dakota Board of Nursing prior to July 15, 2004.

6. That should a review of the documentation supplied by current and past mental health providers support concerns of the Board's staff regarding competency to safely practice in the profession of nursing, the Licensee agrees to submit to a Mental Health Evaluation at the expense of the Board of Nursing pursuant to SDCL § 36-9-49.1

7. That the Licensee may petition for reinstatement for "good" cause. If the Licensee's license is ever reinstated, Licensee shall be placed upon a probationary term for a period of such years of employment as approved by the Board at the time of reinstatement and under such terms and conditions of probation as approved by the Board

at the time of reinstatement.

8. That nothing in this Stipulation and Order should imply that the Licensee will be reinstated. Licensee recognizes that the reinstatement terms, as well as the requirements for reinstatement, are at the sole discretion of the Board and will be considered if and when an application for reinstatement is filed.

9. That the Licensee shall not violate any law or regulation regarding the practice of nursing.

10. That the Licensee shall execute all release of information forms as may be required by the Board or its designee.

11. That within ten (10) days of the effective date of the order, Licensee shall return her license to the Board of Nursing.

12. That if Licensee obtains a license issued solely or under joint regulatory powers by the Board, other than the license to which this Stipulation refers, at any time during the period of the probation, the terms of this probation shall apply to the other or additional licenses issued by the Board.

13. That notwithstanding anything in this Stipulation and Order to the contrary, should the Licensee be convicted of a felony which would be grounds for discipline under SDCL § 36-9-49, either relating to the allegations herein or to any other actions or omissions of Licensee, the Licensee agrees that the Board may take further action against

her license, including, but not limited to, immediate suspension, additional probation terms, or an additional length of probation, or other disciplinary action. Licensee agrees to immediately inform the Board of the outcome of any criminal charges presently or hereafter pending against Licensee.

14. That all provisions and conditions of this Stipulation shall carry over to any license or privilege to practice that the Licensee receives pursuant to the multi-state nursing compact.

15. That the Licensee shall not practice nursing in any state other than South Dakota which is a party state to the Nurse Licensure Compact without prior written authorization from both the Board and the nursing regulatory authority in the party state in which the Licensee wishes to practice.

16. That if any condition of this Order is violated, the Licensee agrees that the Board may take such actions as the Board deems necessary up to and including a total and complete revocation of Licensee's licensing rights as a nurse in South Dakota.

NOW, THEREFORE, the foregoing Stipulation 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 9<sup>th</sup> day of July, 2004.

Karrie M. Christenson  
Karrie M. Christenson, RN - License R0031143

The South Dakota Board of Nursing meeting on the 16<sup>th</sup> day of July, 2004, (approved)(rejected) the attached Stipulation (as written) (with the following modifications):

and issued its order of probation consistent herewith as follows:

IT IS HEREBY ORDERED that the above Stipulation is adopted as an Order of the South Dakota Board of Nursing this 16<sup>th</sup> day of July, 2004, by vote of 7 yes 0 no.

Gloria Damgaard  
Gloria Damgaard, Executive Secretary  
South Dakota Board of Nursing