

SOUTH DAKOTA BOARD OF NURSING

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IN THE MATTER OF THE LICENSURE
PROCEEDINGS :

RE: CANDIE L. DIRTH, LPN :

**STIPULATION AND ORDER FOR
PROBATION WITH HPAP**

License No. P009747 :

Licensee. :

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WHEREAS, Candie L. Dirth, (“Licensee”), holds a license to practice as a practical nurse in the State of South Dakota and holds license number P009747; and

WHEREAS, Licensee, while a voluntary participant in the Health Professionals Assistance Program (“HPAP”), self-reported a relapse and the attendance of a 30 day inpatient treatment program. Licensee has become compliant with HPAP and has been in full compliance with HPAP since mid-January 2015, completing all requirements; and

WHEREAS, Licensee’s conduct as stated would be inconsistent with the health or safety of persons entrusted to her care and violates the rules and statutes regulating the practice of nursing and is in violation of SDCL § 36-9-49 (4) and (7); and

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 (hereinafter "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 the Board's Executive Director to present this Stipulation to the Board for action and recognize 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discretion, does not approve this settlement or a lesser remedy than indicated in this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party. Licensee agrees that if the Board rejects this Stipulation and this case proceeds to hearing, Licensee will assert no claim that the Board was prejudice 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:

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1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Stipulation.