



Board was also provided with an evaluation report from the Health Professionals Assistance Program (“HPAP”) dated July 15, 2013. Sherry Grismer of HPAP provided testimony and answered questions in regard to the HPAP report and recommendation. The Licensee also provided testimony and answered questions of the Board; and

WHEREAS, the Board has considered the Licensee’s request, the statement and documents provided by the Licensee, the previous Orders, the HPAP report, as well Licensee’s own testimony, and being fully advised in the premises;

NOW THEREFORE IT IS HEREBY ORDERED:

1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Order.
2. That the Licensee’s license to practice as a registered nurse in the State of South Dakota is hereby reinstated and placed on probationary status for a period of sixty (60) months of active nursing practice as a registered nurse.
3. The Board hereby mandates Licensee’s continued participation in the Health Professionals Assistance Program for a period of five (5) years with credit given for time of previous successful participation in the program.
- 4 All probationary terms and conditions, as well as clearance to return to employment and any restrictions on access to narcotics as well as specific work environments, shall be set by HPAP, and the Licensee shall be fully compliant with all those terms and conditions.

After verification from HPAP that the Licensee has completed all monitoring terms, the Licensee may petition the Board for closure of the probation. Licensee is not entitled to early closure of probation. The duration of the terms of probation as set forth by HPAP shall be no less than the initial terms of sixty (60) months with credit being given for time already served in HPAP. It is recognized that the Board may require additional probationary time or additional terms upon completion of HPAP. Additionally, Licensee shall comply with the following conditions:

### **CONDITIONS**

1. Licensee shall at any time during the period of probation report in person to such meetings of the Board or to its designated representative as directed and otherwise fully cooperate with the Board or its representatives in terms of this probation.
2. The Licensee shall notify the Board, as well as the HPAP, in writing, within one (1) week of any change in nursing employment, personal address, and/or telephone number.
3. Licensee shall pay for all costs and expenses in carrying out conditions of probation.
4. That within ten (10) days of the effective date of this order, Licensee shall be issued his RN license by the Board office and it is to be stamped "PROBATION".
5. If the Licensee violates and terms of this probation, the Licensee agrees that the Board may take such action against Licensee's license as the Board deems necessary,

up to and including an immediate suspension, additional probationary terms, revocation, or other disciplinary action.

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

7. 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 desires to practice.

8. This probation also effects Licensee's practice privilege to practice in South Dakota should Licensee change his home state under the Nurse Licensure Compact, and Licensee's practice privilege is subject to the same requirements set forth in this order as his South Dakota license.

IT IS HEREBY ORDERED that the above Reinstatement Order with Probation was adopted by the South Dakota Board of Nursing on the 18th day of July, 2013, by a vote of 8 - 0, one abstention.

SOUTH DAKOTA BOARD OF NURSING

Gloria Damgaard by  
Gloria Damgaard, RN, MS *K. Finkenberg*  
Executive Director