

SOUTH DAKOTA BOARD OF NURSING

IN THE MATTER OF THE	*	
LICENSURE PROCEEDINGS	*	STIPULATION AND ORDER
RE: CRAIG GODFREY	*	

WHEREAS, Craig Godfrey has been licensed to practice nursing in the state of South Dakota as an LPN; and

WHEREAS, during the period of October, 1989, through March, 1990, the Licensee admittedly diverted drugs, namely, Darvocet N 100 and Hy-phen from his place of employment at Bethany Lutheran Nursing Home in Sioux Falls in amounts of approximately forty (40) pills per week over the said period; and

WHEREAS, the Licensee admits to the taking of the said drugs, but he does not admit to other substantial amounts of drugs which are missing from Bethany Lutheran Nursing Home; and

WHEREAS, the Licensee has terminated his employment at the said nursing home; and

WHEREAS, the Licensee recognizes and admits that the above facts are clear grounds for the discipline of his license to practice nursing under SDCL 36-9-49; and

WHEREAS, the parties hereto 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 the settlement of the licensing issues presented by the

Licensee's conduct herein described and to provide for a professionally responsible solution thereto; and

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

WHEREAS, this agreement is being entered into voluntarily by the Licensee, without threats or coercion, and is entered into after the Licensee has been given an ample opportunity to consult with legal counsel of his choice, and that he does have a full understanding of the legal consequences of this Stipulation and of his rights to a formal hearing on this matter, which rights are hereby waived;

NOW THEREFORE, it is hereby stipulated and agreed as follows:

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

2. That the license of the Licensee to practice nursing in South Dakota will be suspended for a period of eight (8) months, during which time the Licensee shall not be authorized to practice nursing in South Dakota.

3. That this suspension period will be made retroactive for a period of time commencing with the date the Licensee voluntarily surrenders his license, prior to the time of the approval of this agreement by the Board.

4. That upon completion of the said eight (8) month period of suspension, the Licensee will be on a probationary status to practice nursing in South Dakota for a period of three (3) years, subject to the following terms and conditions:

a. That the Licensee will develop and maintain an ongoing counseling relationship with a counselor to be mutually agreed upon between the Licensee and the Board.

b. That the counselor will provide reports to the Board once every quarter during the first year of the probationary period, and during the last two (2) years of the probationary period once every six (6) months, or on a less frequent basis as would previously be agreed to in writing by the Board's staff.

c. That the Licensee will inform any prospective employer with whom he seeks employment as a nurse, as to the subject matter and the nature of these proceedings and this Stipulation, and would further agree that any employer would, during the first year of probation, provide quarterly reports to the Board as to his progress as an employee, and during the balance of the probationary period provide reports to the Board every six (6) months or on such less frequent basis as the Board staff may agree.

d. That the Licensee will during the period of probation, submit to such testing of body fluids, on a

random basis, as may reasonably be requested by the Board with the understanding that if such tests would ever indicate the use of controlled substances or drugs, not covered by prescription, that the Licensee would then agree to a total and complete revocation of his licensing rights as a nurse in South Dakota.

e. That during the said period of probation, the Licensee will inform the Board staff as to any controlled drugs or substances which he is taking under prescription.

f. That during the period of probation the Licensee agrees that he will not become involved in any similar offenses or practices such as have been the basis for this disciplinary proceeding.

g. That the Licensee would further agree to arrange with the Board staff probationary meetings every three (3) months during the first year of probation and every six (6) months during the remainder of the probationary period. It is understood in this regard that it is the Licensee's obligation to schedule these meetings.

h. That the Licensee will during the period of probation participate regularly in an Alcoholics Anonymous or Narcotics Anonymous group and will further provide reports from his AA or NA sponsor to the Board,

at the times of the aforementioned probationary meetings or on such more frequent basis as the Board staff may reasonably request.

NOW THEREFORE, the foregoing Stipulation is entered into and is respectfully submitted to the South Dakota Board of Nursing for the purposes of allowing its terms to become an order of the Board in the above matter.

Dated this 5 day of July, 1990.

Craig A. Godfrey
Craig Godfrey

Approved by the South Dakota Board of Nursing this 28th day of September, 1990.

Carol Stuart
Carol Stuart, Executive Secretary
South Dakota Board of Nursing

SOUTH DAKOTA BOARD OF NURSING

IN THE MATTER OF THE	*	
LICENSURE PROCEEDINGS	*	SUPPLEMENTAL STIPULATION AND ORDER
RE: CRAIG GODFREY	*	

WHEREAS, Craig Godfrey has been licensed to practice nursing in the state of South Dakota as an LPN; and

WHEREAS, the Licensee signed a proposed Stipulation dated July 5, 1990, which Stipulation and Order is yet to be approved by the South Dakota Board of Nursing; and

WHEREAS, between the time of the signing of the said Stipulation by the Licensee on July 5, 1990, and the said Stipulation being submitted to the South Dakota Board of Nursing, additional charges relating to the Licensee's conduct as a nurse were presented to the South Dakota Board of Nursing; and

WHEREAS, the Licensee at the scheduled informal meeting in the said additional matter, has recognized and admitted that while in possession of an LPN license and caring for an elderly patient, he removed certain jewelry and a camera belonging to the patient and pawned the property for cash for his own personal use; and

WHEREAS, the said Licensee recognizes and admits that the above facts are grounds for additional basis for discipline of his license to practice nursing under SDCL 36-9-49; and

WHEREAS, the parties hereto 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 the settlement of the licensing issues presented by this conduct and to provide for a professionally responsible solution thereto; and

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

WHEREAS, this agreement is being entered into voluntarily by the Licensee, without threats or coercion, and is entered into after the Licensee has been given an ample opportunity to consult with legal counsel of his choice, and that he does have a full understanding of the legal consequences of this Stipulation and of his rights to a formal hearing on this matter, which rights are hereby waived;

NOW THEREFORE, it is hereby stipulated and agreed as follows:

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

2. That by reason of the conduct herein described, and the conduct previously admitted in the prior Stipulation dated July 5, 1990, the license of the Licensee to practice nursing in South Dakota will be suspended for a period of three (3) years, beginning May 3, 1990, at which time the Licensee surrendered

his license to practice nursing in South Dakota.

3. That upon completion of two (2) years of the said period of suspension, the Licensee may petition the Board for reinstatement of his license, subject to appropriate terms and conditions, before the end of the three (3) year period of suspension. If the Licensee does not choose to seek reinstatement of his license during the said period of time, the Licensee's license to practice nursing in South Dakota will be automatically reinstated upon the completion of the three (3) year period of suspension, subject to the following terms and conditions of probation, which terms and conditions of probation shall exist for a period of three (3) years:

a. That the Licensee will develop and maintain an ongoing counseling relationship with a counselor to be mutually agreed upon between the Licensee and the Board.

b. That the counselor will provide reports to the Board on such basis and frequency as the Board staff would reasonably require, unless the counselor would earlier release the Licensee from need for continued counseling.

c. That the Licensee will inform any prospective employer with whom he seeks employment as a nurse, as to the subject matter and the nature of these proceedings and this stipulation, and would further agree that any employer would, during the first year of

probation, provide quarterly reports to the Board as to his progress as an employee, and during the balance of the probationary period provide reports to the Board every six (6) months or on such less frequent basis as the Board staff may agree.

d. That the Licensee will during the period of probation, submit to such testing of body fluids, on a random basis, as may reasonably be requested by the Board with the understanding that if such tests would ever indicate the use of controlled substances or drugs, not covered by prescription, that such finding would be cause for the immediate and total revocation of his licensing rights as a nurse in South Dakota.

e. That during the said period of probation, the Licensee will inform the Board staff as to any controlled drugs or substances which he is taking under prescription.

f. That during the period of probation the Licensee agrees that he will not become involved in any similar offenses or practices such as have been the basis for this disciplinary proceeding.

g. That the Licensee would further agree to meet with the Board staff for probationary meetings as the Board staff may reasonably require.

h. That the Licensee will during the period of probation participate regularly in an Alcoholics

Anonymous or Narcotics Anonymous group and will further provide reports from his AA or NA sponsor to the Board, at the times of the aforementioned probationary meetings or on such more frequent basis as the Board staff may reasonably request.

i. That the Licensee would prior to going on probation, complete a treatment program for chemical dependency and also provide evidence of satisfactory completion of any after-care portion of such program.

NOW THEREFORE, the foregoing Stipulation is entered into and is respectfully submitted to the South Dakota Board of Nursing for the purposes of allowing its terms to become an order of the Board in the above matter.

Dated this 28th day of September, 1990.

Craig A. Godfrey.
Craig Godfrey

Approved by the South Dakota Board of Nursing this 28th day of September, 1990.

Carol Stuart
Carol Stuart, Executive Secretary
South Dakota Board of Nursing