

boundaries that could have potentially caused harm to the health and safety of persons entrusted to Licensee's care; and

WHEREAS, 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 has denied and disputed some of the allegations against him, has admitted and explained some of the allegations against him, has no recollection of the remaining allegations against him, and has generally noted a number of issues with the complainant's investigation of the allegations against him; and

WHEREAS, it is the intent of Licensee and the Board that this Stipulation provide for a settlement of the licensing issues created by the August 23, 2013 complaint and subsequent investigation, without the necessity of further hearings and proceedings herein and to provide for a responsible resolution; 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 from the date that this Stipulation is approved by the Board, Licensee's practice privilege is placed on a probationary status to end on a date further described below at Number 4.

3. The Licensee shall enroll in the Health Professionals Assistance Program - Mental Health Program (“HPAP”) on the earliest date possible following the entry of this Stipulation and Order.

4. Licensee shall be fully compliant with the terms and conditions set by HPAP. After Licensee has fully completed his HPAP mandated program and requirements, Licensee may notify the Board and, after the Board’s verification from HPAP that Licensee fully completed his HPAP mandated program and requirements, Licensee’s probation shall be closed.

5. Licensee shall also comply with the following Conditions during the term of his probation:

A. 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.

B. 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.

C. Licensee shall pay for all costs and expenses in carrying out conditions of probation.

D. That within ten (10) days of the effective date of this order, the Licensee's practice privilege in the state of South Dakota shall be noted to be on "Probation – Pending Completion of HPAP Program"

E. If the Licensee violates any terms of the HPAP probation or does not fully complete the HPAP mandated program and requirements, the Licensee agrees that the Board may take such action against Licensee's privilege to practice in South Dakota as the Board deems necessary, up to and including an immediate suspension, additional probationary terms, revocation, or other disciplinary action.

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

NOW, THEREFORE, the foregoing Stipulation is entered into and respectfully submitted to the Board with a request that the Board adopt its terms as an order of the Board.

Dated this 16 day of July, 2014.

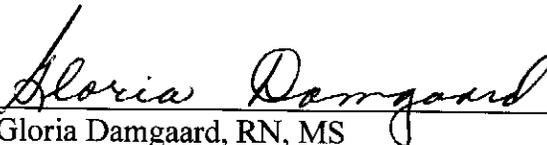


Timothy A. Hamersma

Stipulation and Order for Probation on South Dakota Privilege to Practice
Timothy Allen Hamersma

The South Dakota Board of Nursing met on the 12th day of June, 2014, and approved the entry of this Stipulation with said Licensee by a vote of 9-0, and hereby issues its Order of Probation consistent herein as follows:

IT IS HEREBY ORDERED that the above Stipulation is adopted as an Order of the South Dakota Board of Nursing this 4th day of August, 2014.


Gloria Damgaard, RN, MS
Executive Director
South Dakota Board of Nursing