

**SOUTH DAKOTA BOARD OF NURSING**

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IN THE MATTER OF THE  
LICENSURE PROCEEDINGS

RE: BARBARA JESSOP, L.P.N.  
License No. P-005972

ORDER OF REINSTATEMENT  
AND PROBATIONARY ORDER

Licensee,

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WHEREAS, BARBARA JESSOP, L.P.N., ("Licensee") was licensed to practice as a licensed practical nurse in the State of South Dakota and holds License number P-005972; and

WHEREAS, on the 18th day of July, 1997, the Licensee entered into a Stipulation and Voluntary Consent Order surrendering her license, which was approved by the South Dakota Board of Nursing ("Board") on July 18, 1997; and

WHEREAS, also on July 18, 1997, Licensee requested reinstatement pursuant to said Stipulation and Voluntary Surrender Consent Order and presented information, based upon which the Board agreed to reinstate her license with probationary terms and conditions herein; 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, the Board held a reinstatement meeting on July 18, 1997, at 12:30 p.m., and the Licensee appeared at said meeting, along with her counsel, Catherine V. Piersol, and the Board is 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 Stipulation.

2. Licensee's license to practice nursing in South Dakota shall be reinstated but shall be placed on probation for twenty-four (24) months under the terms and conditions hereof.

3. Following are the probationary conditions which shall be fully followed by Licensee during the term of her probation:

- 1) Licensee shall continue counseling with Shelley Pederson-Sandbulte, Dakota Psychologic Center, Sioux Falls, South Dakota, or with another therapist who is pre-approved by the Board to be paid by the Licensee. The type, frequency and duration of counseling shall be established by the counselor. The counselor shall submit reports to the Board quarterly the first year and every six months thereafter. The report shall provide and/or address:
  - a) Verification that the counselor has seen a copy of the Stipulation and Order.
  - b) Diagnosis and any treatment plan;
  - c) Licensee's ability to handle stress;
  - d) Licensee's ability to practice as a professional nurse;
  - e) Any other information which the counselor believes would assist the Board in its ultimate review of the case.

- 2) Licensee will notify the Board of any employment in the health care field, including changes in employment. Furthermore, the Licensee will inform any current or prospective employer with whom she seeks employment as a nurse, as to the subject matter and the nature of the proceedings and the Stipulation, and would further agree that any such employer would, during the first year of probation, be required to provide quarterly reports to the Board as to her progress as an employee, and during the balance of the probationary period provide reports on a basis of every six (6) months. The reports shall provide and/or address:
  - a) In the first report, evidence that Licensee's supervisor has received a copy of the order within ten days of service or within ten days of Licensee beginning a new employment;
  - b) Licensee's attendance and reliability;
  - c) Licensee's ability to practice professional nursing;
  - d) Licensee's ability to carry out assigned functions;
  - e) Licensee's ability to handle stress;
  - f) Number of hours Licensee worked during the reporting period;
  - g) Any other information which the supervisor believes would assist the Board in its ultimate review of the case.
- 3) Licensee shall not be employed by a temporary agency.
- 4) Licensee shall observe the following employment restrictions:
  - a) May only practice under on-site supervision of another licensed nurse in good standing with the Board for a minimum of six (6) months. The supervising nurse shall be primarily one (1) person, who may periodically delegate to other qualified personnel.
  - b) May not hold a position in a substance abuse unit or a psychiatric-mental health unit for the duration of the probation.
- 5) Licensee shall arrange with the Board staff probationary meetings once every three (3) months during the first year of probation. Thereafter, probationary meetings will

be arranged by the Licensee every six (6) months for the balance of the probationary period. It will be the obligation of the Licensee to schedule these meetings at such time and place as the Board staff would reasonably designate.

Furthermore, the Licensee will submit a self-evaluation report to the Board office prior to each probationary meeting. The report shall provide and/or address:

- a) Licensee's participation in counseling. Documentation shall include attendance and participation, family support and problem areas addressed;
  - b) Licensee's professional employment status, including employer support, peer support, ability to handle stress;
  - c) Licensee's future professional goals for nursing;
  - d) Licensee's future personal goals; and
  - e) Any other information which the Licensee believes would assist the Board in its ultimate review of the case.
- 6) Licensee shall at any time during the period of probation, report in person to such meetings of the Board or to its designated representatives as directed and otherwise fully cooperate with the Board or its representatives in the terms of this probation.
  - 7) Licensee shall not violate any law or regulation regarding the practice of nursing.
  - 8) Licensee shall execute all release of information forms as may be required by the Board or its designee.
  - 9) Within ten (10) days of the effective date of this Order, Licensee shall submit his/her license to the South Dakota Board of Nursing to be stamped "PROBATION."
  - 10) Licensee shall notify the Board, in writing, within one (1) week of any change in nursing employment, personal address and/or telephone number.
  - 11) Licensee shall pay for all costs and expenses in carrying out any conditions of the probation.
  - 12) Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, they must first be approved by the Board prior to leaving

the state. If Licensee fails to receive such approval before leaving the state, none of the time spent out-of-state will be credited to the fulfillment of the terms and conditions of this Order.

- 13) The Licensee may petition the Board for early closure or reconsideration of the terms of the probationary agreement after eighteen (18) months of successful completion of the terms outlined in this Order.
- 14) In the event that the Licensee does not work in nursing within two (2) years of the effective date of the Order, Licensee may petition the Board for re-evaluation of the probationary conditions.
- 15) If any condition of this probation 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.
- 16) Notwithstanding anything in this 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 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.
- 17) If Licensee obtains a license issued by the Board other than the license to which this Order refers in the above-captioned paragraphs, at any time during the period of probation, the terms of this probation shall apply to the other or additional license(s) issued by the Board.

This Reinstatement and Probation Order was adopted by the South Dakota Board of Nursing this 18th day of July, 1997, by a vote of 7-yes, 1-abstention

SOUTH DAKOTA BOARD OF NURSING

By Diana VanderWoude  
Diana Vander Woude, Its Executive Secretary