

WHEREAS, the Licensee agrees that she enters into this Voluntary Surrender Consent Order voluntarily and without duress or compulsion, in full understanding of the legal consequences of this document and her rights; 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 Voluntary Surrender Consent Order.

2. That on or about November 27, 2012, Licensee was charged in the state of South Dakota with Misrepresentation to Obtain Controlled Substance, a class 4 felony.

Licensee has agreed that she will surrender her nurse licensure compact privilege to practice in the state of South Dakota, and now intends to surrender her privilege to practice nursing in South Dakota.

3. That the Licensee has been given an opportunity to discuss this Voluntary Surrender Consent Order with an attorney of Licensee's choice, and is aware of her right to a hearing in this matter, and of her rights under the United States and South Dakota Constitutions, laws, rules and/or regulations. Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or any other rights under said Constitutions, laws, rules and/or regulations. Licensee also agrees that the Board's Executive Director or her designee may present this Voluntary Surrender Consent Order to the Board and disclose to the Board all items of her investigation, including, but not limited to, any communications with Licensee.

4. That the Licensee's privilege to practice nursing in South Dakota pursuant to the Nurse Licensure Compact shall be surrendered and the Board shall suspend said privilege for an indefinite period from the date of this Order. Licensee agrees that any practice or holding herself out as an LPN under the practice privilege in the state of South Dakota is prohibited. Licensee may apply to have her privilege to practice in South Dakota reinstated for good cause shown.

5. That nothing in this Voluntary Surrender Consent Order should imply that the Licensee's privilege shall be reinstated. Licensee recognizes that the reinstatement terms, as well as the requirements for reinstatement, are at the sole discretion of the Board.

6. That if the Licensee requests reinstatement, Licensee has the burden of presenting information showing that Licensee's practice privilege should be reinstated.

7. That it is further stipulated and agreed that this Voluntary Surrender Consent Order is being entered into voluntarily by the Licensee and without threats or coercion and is entered into after the Licensee has been given ample opportunity to consider these matters and to discuss this Voluntary Surrender Consent Order with an attorney of Licensee's choice and that the Licensee has a full understanding of the legal consequences of this Voluntary Surrender Consent Order and of the Licensee's rights to a formal hearing on these matters, which rights are hereby waived by the signing of this Voluntary Surrender Consent Order.

8. Licensee understands that, during the period of this Voluntary Surrender, she is ineligible to work in any nursing role, including that of a nurse aide, nurse assistant, or medication assistant/aide in the state of South Dakota.

9. This action is reportable discipline and will be published in the Board's newsletter and posted on its website and reported into the Healthcare Integrity and Protection Data Bank (HIPDB) and National Practitioner Data Bank (NPDB) as required by law.

10. That the Board may enter an Order consistent with the terms of this Stipulation.

NOW, THEREFORE, the foregoing Voluntary Surrender Consent Order is entered into and is respectfully submitted to the Board with the request that the Board adopt its terms as an Order of the Board in the above matter.

Dated this _____ day of February, 2013.


Angela J. Koch, LPN

The South Dakota Board of Nursing meeting on the 1st day of ~~February~~ ^{March 1st}, 2013,
approved the attached Voluntary Surrender Consent Order as written by a vote of 10-0
and issued its Order as follows:

IT IS HEREBY ORDERED that the above Voluntary Surrender Consent Order is
adopted as shown herein by the South Dakota Board of Nursing this 4th day of
March, 2013.



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