

Dakota under SDCL §36-9-49; and

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

WHEREAS, the Board has recommended that the Licensee's LPN license be placed on probation and restricted to practice in South Dakota only. The Board has also recommended that the Licensee enroll in the SDSU LPN refresher course as remediation. However, in lieu of the refresher course, the Board and the Licensee agree that the Licensee will continue with her current RN education and once she passes the NCLEX examination, she will be issued a probationary RN license for a period of one (1) year period of active practice as a registered nurse; and

WHEREAS, it is the intent of this Stipulation to provide for a settlement of the licensing issues presented by the Licensee's conduct, in a professional manner, without the necessity of further hearings and proceedings herein, and to provide for a responsible solution; now, 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 the Licensee has admitted that on or about June 7, 2010, while working as a practical nurse, she provided inadequate clinical assessment and follow-up of a resident who was on anticoagulants and was experiencing bleeding. Licensee also admits to substandard documentation in the resident's chart. Licensee has admitted that she is lacking in clinical education and experience. Licensee is currently enrolled in an LPN to Associate of Arts Degree RN, program.

3. That from the date this Stipulation is signed, Licensee's license to practice as a practical nurse is placed on probationary status and is restricted to practice in the state of South Dakota only. The Licensee agrees that in lieu of taking the SDSU LPN refresher course, she will continue her RN education. Once the Licensee has completed her RN education, and passed the NCLEX examination, she will be issued a probationary RN license for a period of one (1) year of active practice as a registered nurse. After twelve months (one year) of successful RN practice under the terms of this Order, the Licensee's probation shall be closed. Licensee shall comply with the following during her probation.

CONDITIONS

1. That 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.

2. That the Licensee shall provide quarterly reports to the South Dakota Board of Nursing from her worksite monitor, the Director of Nursing, and a self report.

3. That the Licensee shall pay for all costs and expenses in carrying out any conditions of this probation.

4. That within ten (10) days of the effective date of this Order, the Licensee shall submit her current LPN renewal certificate to the Board office to be stamped "PROBATION".

5. If Licensee violates any 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. If Licensee obtains a license issued solely or under joint regulatory powers by the Board, other than the license to which this Stipulation refers, at any time during the period of the probation, the terms of this probation shall apply to the other or additional license(s) issued by the Board.

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

8. 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.

9. This probation also affects Licensee's practice privilege to practice in South Dakota should Licensee change her home state under the Nurse Licensure Compact and Licensee's practice privilege is subject to the same requirement set forth in this Order as her South Dakota license.

NOW, THEREFORE, the foregoing Stipulation is entered into and is respectfully submitted to the Board which has adopted its terms as an order in the above matter.

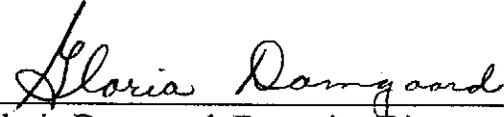
Dated this 6 day of JAN, 2011.



Diana McKenzie, LPN - License P010354

The South Dakota Board of Nursing at its meeting on the 19th day of November, 2010, approved the terms and conditions of this probationary order by a vote of 7-0.

IT IS HEREBY ORDERED that the above Stipulation is adopted as an Order of the South Dakota Board of Nursing this 19th day of January, 2011.



Gloria Damgaard, Executive Director