

As a result of this conduct, the South Dakota Board of Nursing, on June 30, 2006, issued a Letter of Reprimand with Remediation to the Licensee, which is reportable discipline.

In April, 2007, the Board of Nursing received a complaint from Licensee's then employer, Palisades Manor of Garretson, South Dakota, in regards to medication errors and possible diversion of narcotics. Thereafter, the Board of Nursing began an investigation into that complaint. Additional reports from Palisades Manor received on July 20, 2007, revealed that the Licensee had been disciplined for sleeping on the job, not responding to patient lights, leaving medication room doors open, not documenting appropriately, and other practice intervention issues.

On July 24, 2007, the Board of Nursing received another complaint from Licensee's then employer, Canton Good Samaritan Center alleging unsafe practice issues to include, but not limited to, medication errors, incorrect counting of narcotics (no diversion), and laboratory errors during her employment there from May 21, 2007, to July 3, 2007.

On July 25, 2007, an Informal Meeting was held with the Licensee at the South Dakota Board of Nursing office in Sioux Falls, South Dakota. Said minutes are hereby incorporated as if fully set forth herein.

At the Informal Meeting, Licensee denied any addiction to prescription medication and denied diversion of narcotics. Licensee did admit to the list of unsafe practice issues

identified by Palisades Manor and Canton Good Samaritan Center. Licensee also admitted to having mental and physical health concerns which were affecting her nursing practice.

On September 10, 2007, the Licensee contacted the Board of Nursing office and asked questions regarding voluntarily surrendering her license. The process was explained to her and she indicated her wish to surrender he license at that time.

Upon presentation of the Voluntary Surrender Consent Order document, the Licensee withdrew her agreement to sign the Order and, instead, stated her wish to proceed to hearing.

WHEREAS, based upon the affidavit of Andrew Albers and the above stated conduct, the Board has concluded that the public health, safety and welfare requires emergency action, in that Licensee's actions may endanger the health and safety of those who are, or will be, entrusted to her care in the future; and

WHEREAS, the Board, has a statutory obligation to protect the health, safety and welfare set forth in SDCL §36-9, including the protection of the public from unsafe nursing practices and practitioners.

NOW THEREFORE IT IS HEREBY ORDERED:

1. That the Board has jurisdiction of the Licensee and the subject matter of this Order.

2. That based on the above, the Board specifically finds that the public health, safety and welfare require emergency action against Licensee's license.

3. That based on the above, the Board specifically finds that the Licensee's actions endanger the public health, safety and welfare, and imperatively requires emergency action in that Licensee may endanger the health and safety of those persons who are or will be entrusted to her care in the future and that these are matters of a nature that would constitute further grounds for discipline of her license to practice nursing under SDCL § 36-9-49.

4. Based upon these findings, Licensee's license to practice nursing in South Dakota is hereby summarily suspended. Licensee may petition according to SDCL § 36-9-57 for reinstatement of her license at any time for "good cause". This Order also affects licensee's privilege to practice in South Dakota. Should licensee change her home state under the Nurse Licensure Compact, then licensee's practice privilege is subject to the same requirements as set forth in this order as her South Dakota license.

5. That Licensee shall turn in her license to the Board within ten (10) days from the date of this Order and it shall be kept by the Board until further action on this matter.

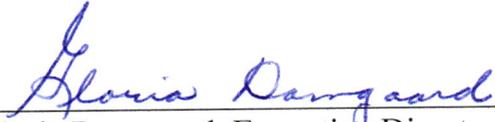
6. Licensee is hereby notified that any practice of or holding herself out as a Registered nurse during the terms of this Order of Summary Suspension is a violation of SDCL § 36-9-68.

The South Board of Nursing at its meeting on the 2nd day of November, 2007, approved this Order of Summary Suspension as written without modifications and issues its Order of Summary Suspension consistent herein as follows:

IT IS HEREBY ORDERED that the above is adopted as an Order of the South Dakota Board of Nursing this 2nd day of November, 2007, by a vote of

9-0.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, Executive Director

NOTICE OF HEARING

The South Dakota Board of Nursing ("Board") pursuant to SDCL §§ 1-26-16, 1-26-27, and 1-26-29, hereby provides this Notice of Hearing to Ann Mechtenberg, RN, License No. R-028205 ("Licensee") as follows:

1. Hearing on the Order of Summary Suspension will take place before the Board on January 29, 2008, at 11 o'clock ^{a.m.}~~p.m.~~ at 4305 S. Louise Avenue, Suite 201 in Sioux Falls, South Dakota.

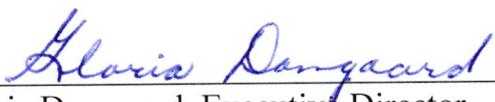
2. This matter is an adversarial proceeding and Licensee has the right to be present at the hearing and to be represented by an attorney. These due process rights will be forfeited if they are not exercised at the hearing.

3. Licensee has a right to request that the agency use the Office of Hearing Examiners for this proceeding by giving notice of the request to the Board no later than ten (10) days after the service of this Notice of Hearing on Order of Summary Suspension.

4. A decision issued by the Board after the hearing may be appealed to the circuit court and to the state Supreme Court as provided by law.

Dated this 13th day of November, 2007.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, Executive Director