

**SOUTH DAKOTA BOARD OF NURSING**

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IN THE MATTER OF THE  
LICENSURE PROCEEDINGS

RE: LAURIE MILLS,  
L.P.N.. Applicant,

ORDER

Applicant.

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WHEREAS, LAURIE MILLS ("Applicant"), will apply for licensure as a licensed practical nurse in the State of South Dakota; and

WHEREAS, Applicant has disclosed on her application for licensure by examination that she received a suspended imposition of sentence for a felony or other criminal offense; and

WHEREAS, Applicant personally appeared before the South Dakota Board of Nursing at its meeting on November 30, 2000.and

WHEREAS, the board has determined that such conduct would be inconsistent with the health and safety of persons entrusted to Applicant's care, and violates the statutes, rules and regulations regarding the practice of nursing, and would be a violation of SDCL § 36-9-49(2) and (10); and

WHEREAS, the Applicant was informed at the meeting that these matters are of such

a nature which would constitute grounds for the denial of Applicant's application for an L.P.N. license to practice nursing in South 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 set forth in SDCL § 36-9, including the protection of the public from unsafe nursing practices and practitioners; and

WHEREAS, Applicant has requested that the Board grant her a license if she passes the examination with such terms of probation as the Board deems necessary; and

The Board having considered this matter and being fully advised in the premises; now, therefore,

IT IS HEREBY ORDERED BY THE SOUTH DAKOTA BOARD OF NURSING as follows:

1. That the Board has jurisdiction over the person of the Applicant and the subject matter of this Order.

2. That Applicant will be issued an L.P.N. license upon successful completion of all requirements to obtain an L.P.N. license by examination but said license to practice nursing in South Dakota will be placed on a probationary status for a period of twenty four (24) months of employment in nursing practice from the date of the license being issued, which probationary terms and conditions shall be as follows and shall be fully complied with by the Applicant:

(1). Licensee will notify the Board of any employment in the healthcare 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 (10) days of service or within ten (10) days of Licensee beginning a new employment;
  - b) Licensee's attendance and reliability;
  - c) Licensee's ability to practice nursing;
  - d) Licensee's ability to carry out assigned functions; including clinical judgment, decision-making skills, medication administration and ethical decision making skills;
  - e) Number of hours Licensee worked during the reporting period;
  - f) Licensee's ability to handle stress;
  - g) Any other information, which the supervisor believes would assist the Board in its ultimate review of the case.
  - h) The employer agrees to report any concerns of violations or potential violations of this Order or the Nurse Practice Act immediately
- (2) .Licensee shall not be employed by a temporary agency.
- (3) 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. At least one of the probation meetings annually must be face-to-face, the others may be arranged by telephone.

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 professional employment status, including employer support and peer support;

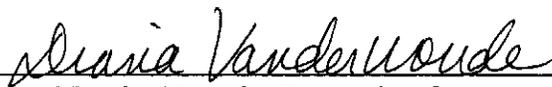
- b) Licensee's future professional goals for nursing;
  - c) Licensee's future personal goals; and
  - d) Any other information, which the Licensee believes would assist the Board in its ultimate review of the case.
- (4) Licensee shall at any time during the period of suspension/probation, report in 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 suspension/probation.
  - (5) Licensee shall not violate any law or regulation regarding the practice of nursing
  - (6) Licensee shall execute all release of information forms as may be required by the Board or its designee.
  - (7) Within ten (10) days of the effective date of the Order, the Licensee shall submit her current renewal certificate to the South Dakota Board of Nursing office to be stamped 'PROBATION'.
  - (8) Licensee shall notify the Board, in writing, within one (1) week of any changes in nursing employment, personal address, and/or telephone.
  - (9) Licensee shall pay for all costs and expenses in carrying out any conditions of the probation.
  - (10) 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.
  - (11) If any condition of the probation is violated, 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.
  - (12) If Licensee obtains a license issued solely or under joint regulatory powers by the Board other than the license to which this Stipulation 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.
  - (13) Notwithstanding anything in this Stipulation and 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 Licensee agrees that the Board may take further action against her license, including, but not limited to, immediate suspension, additional probationary terms, 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.

- (14) All provisions and conditions of this Stipulation shall carry over to any license or privilege to practice in South Dakota that the Licensee receives pursuant to said multi-state compact.
- (15) Licensee shall provide evidence of satisfactorily completing the South Dakota Board of Nursing self study ethics module to the approval of the Board of Nursing staff within 3 months from the date of the order. The Board shall furnish the self study ethics module at no cost to Licensee.
- (16) After the Licensee has completed eighteen (18) months of successful probation, the Licensee may petition the Board for reconsideration of the length of the probationary terms and a closure of the probation at that time. Licensee understands the Board will consider all conditions at that time, including Licensee's compliance with the probationary terms.
- (17) In the event that Licensee does not work in nursing with two (2) years of the effective date of this Order, Licensee may petition the Board for reevaluation of the probationary conditions.

NOW, THEREFORE, the foregoing Order is entered this 30th day of November, 2000.

IT IS HEREBY ORDERED that the above was approved by the South Dakota Board of Nursing on the 30th day of November, 2000, by vote of 7-yes; 1-abstention

  
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Diana Vander Woude, Executive Secretary