



SOUTH DAKOTA BOARD OF NURSING  
SOUTH DAKOTA DEPARTMENT OF HEALTH  
4305 S LOUISE AVENUE SUITE 201 ♦ SIOUX FALLS SD 57106-3115

**MINUTES**  
JUNE 15-16, 2011

The Meeting was called to order by President Diana Berkland at 9:28 a.m.

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**BOARD MEMBERS**

Diana Berkland, RN; President  
Linda Bunkers, RN  
Christine Callaghan, LPN – Excused  
Teresa Disburg, RN  
John Jones, Public Member – Excused  
June Larson, RN; Vice President  
Adrian Mohr, Public Member  
Sharon Neuharth, LPN  
Kristin Possehl, RN  
Deb Soholt, RN  
Patricia Wagner, LPN; Secretary

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**BOARD STAFF PRESENT**

Gloria Damgaard, Executive Director  
Kathleen Rausch, Nursing Program Specialist  
Linda Young, Nursing Program Specialist  
Kris O'Connell, Board Attorney  
Caleb Veldhouse & Morgan Brekke, Law Interns  
Erin Matthies, Program Assistant II  
Winora Robles, Program Assistant  
Allie Crissman, Board Intern  
Molly Soholt, Board Intern

**MINUTES** of the March-April 2011 Board Meeting were approved as presented in a unanimous voice vote.

**AGENDA** for today's meeting with the addition of items 5F) Statewide Background Checks and 9F) Discipline Case Update was approved in a unanimous voice vote.

**FINANCIAL REPORTS** were presented by Robert Garrigan, Business Manager, based on the handouts provided. The budget for the new fiscal year was also briefly reviewed.

MOTION: The Financial Reports were approved as presented in a unanimous voice vote.

**REPORTS**

**NCLEX PASS RATES – 1<sup>ST</sup> QUARTER:** Per the handouts, South Dakota pass rates were 87.23% for RN candidates, and 88.89% for PN candidates.

**CNA REPORT – 1<sup>ST</sup> QUARTER:** G. Damgaard reviewed the handout with the Board.

**NURSE LICENSURE COMPACT CONSUMER CONFERENCE:** G. Damgaard and K. Rausch attended earlier this month. NLC membership was discussed at the conference, as well as legislation efforts by various states to implement criminal background checks.

**NCSBN IT SUMMIT:** E. Matthies and R. Garrigan attended in May. E. Matthies said that networking with other states was helpful. R. Garrigan said that in meeting with people from other states and territories, it was beneficial to review information regarding various licensure systems and to learn from their experiences, as well as to learn about rolling criminal background checks being conducted in other states.

**PNCB ANNUAL STATE BOARDS OF NURSING Report:** L. Young briefly reviewed the handout with the Board.

**STATEWIDE CRIMINAL BACKGROUND CHECKS CONFERENCE:** G. Damgaard shared that the governor's office has assembled a group to solicit suggestions regarding which license types and employees should be subject to CBCs, and to institute a statewide policy. A newly available Audit Procedure Manual provides guidelines regarding security and record-keeping.

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**OPEN FORUM – NO ONE REQUESTED THE OPPORTUNITY TO ADDRESS THE BOARD**

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**ENVIRONMENTAL SCAN**

**CGFNS APPOINTS NEW CEO – Press Release:** Barbara Nichols has retired from the position. Franklin A. Schaefer will succeed Ms. Nichols as CEO of CGFNS.

**LETTER FROM NCSBN PRESIDENT Myra Broadway:** Provided as an informational piece.

**ACNM – Midwifery in the US and the Consensus Model for APRN Regulation:** An informational piece.

**NCSBN PRESS RELEASES:** These were provided as informational pieces.

- "Transition to Practice Site Coordinators Meeting"
- "Signing of *Memorandum of Understanding* between Nursing Regulatory Bodies"

## UNFINISHED BUSINESS

VIRTUAL NURSING CARE for Children with Diabetes in the School Setting Grant: An update was presented by G. Damgaard and L. Young. The project went live at the end of March, and was very successful; the trial run went through the end of this school year, and will run all of the next school year. Fourteen schools, seventeen children are now involved, and at least three more children are expected to join. DOH Maternal-Child block grant money has been awarded to the project, which will allow expansion to include more students; Sanford Healthcare System will be involved. The potential impact of the virtual nursing care project is exciting and encouraging for South Dakota's citizens.

DATA INTEGRITY PROJECT: G. Damgaard presented an update based on the handout. We have resolved over 21% of data integrity errors. Discipline Orders are also being uploaded to Nursys as part of this project.

RFP VENDOR PRESENTATIONS and Selection of New Software: G. Damgaard, E. Matthies, and R. Garrigan shared that two vendors came to the Board to explain their respective systems; BIT representatives were also present. The systems were rated by Board staff pertaining to the Board's needs. R. Garrigan reviewed and compared associated costs. Timelines for implementation and system support were also discussed.

MOTION: D. Soholt moved that the South Dakota Board of Nursing endorse the purchase of a new licensure vendor software system and begin new licensure contract negotiations.

Seconded by L. Bunkers

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	YES	9 YES – MOTION CARRIED	

CENTER FOR NURSING WORKFORCE COLLABORATIVE LEADERSHIP Program: L. Young presented; response has been excellent. The event will be held at the Sioux Falls Convention Center; Sanford Health, Avera Health, and Regional Health Systems will send participants, and there is still space for more attendees.

SOUTH DAKOTA ACADEMY OF FAMILY PHYSICIANS Letter: G. Damgaard shared this follow-up from discussion held at the previous Board meeting.

LEGAL OPINION – Certified Electronic Documents: K. O'Connell reviewed this opinion and the criteria behind it. This Board must provide certified copies when requested, and request them when needed.

## NEW BUSINESS

NURSING WORKFORCE REPORT & ANNUAL REPORT OF NURSING EDUCATION PROGRAMS: G. Damgaard and L. Young, following introductions, provided a power point presentation based on the reports that were distributed to Board members and to Nursing Education Deans, Directors, and representatives in attendance.

*Highlights of the 2010 Annual Report of Nursing Education Programs presentation include:*

- LPN student numbers have more than tripled over the past ten years.
- LPNs enrolled in Associate RN degree programs have more than doubled over the past ten years.
- 343 RNs and 54 LPNs were enrolled in RN Upward Mobility Baccalaureate courses in South Dakota.
- 12% of nursing students were male.
- Of enrolled students, 90% identified themselves as Caucasian, 7% Native American, and 3% Other.
- The number of new graduates has also doubled over the past ten years.
- Faculty data show that more young nurses are joining nursing education programs.
- NCLEX pass rates for South Dakota were comparable to national rates.
- Over 89% of RN graduates have become licensed in South Dakota.
- About 83% of LPN graduates have become licensed in South Dakota.

*Highlights of the 2010 Center for Nursing Workforce Report presentation include:*

- Numbers of LPNs, RNs, and APNs licensed in South Dakota continues to increase.
- The number of new nurses produced is not excessive, considering the number who retire or move out of state.
- Average age of currently licensed LPNs and RNs in the state is 46, down slightly from recent years.
- Most nurses work in the state's southeast region, followed by western, northeast, and central areas.
- Most APNs are prepared at the Masters level; about 17% hold doctoral degrees.

SINTE GLESKA UNIVERSITY April 11-12, 2011 Site Visit: Dorothy Peterson, Interim Program Director; Cheryl Maderas, Vice President of Academic Affairs; and Dr. Tony Garcia, President of Ihanktonwan Community College (ICC) were present to address the Board. J. Larson reviewed the site visit report, noting items of partial compliance and non-compliance, as well as strengths of the program. D. Peterson submitted documentation demonstrating that some of the deficiencies have already been addressed; C. Maderas reported on specific changes that have been made as well. T. Garcia stated that the goal is to provide quality services for the people on the reservation, and that although ICC is a small college, they are prepared to take the steps necessary to meet state regulatory requirements.

MOTION: K. Possehl moved that the South Dakota Board of Nursing accept the site visit report and recommendations for improvement, and grant continued Probationary Status for the Sinte Gleska University Nursing Program. The Board expects that recommendations from 2008, as well as new recommendations in the site visit document, will be addressed prior to the next site visit.

Seconded by D. Soholt

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	YES	9 YES – MOTION CARRIED	

SISSETON WAHPETON COLLEGE – Online Option for LPN-RN Program: Sara Smith, RN Program Coordinator, and Barbara Dahlen, Director of the Department of Nursing, were present to address the Board. Severity of the past winter's weather was the initial impetus to upload curriculum materials to their website for the students; the students did very well. Also, potential students from other states have contacted Sisseton Wahpeton asking about an online program. The Associate Program is currently in Interim Status. Disappointing NCLEX pass rates were discussed. Existing faculty, three FTE and one adjunct would also work with online students; if enrollment should increase substantially, additional faculty would be hired.

MOTION: D. Soholt moved that the South Dakota Board of Nursing approve the request to reorganize the PN to AD/RN Program to include an online option for completion.

Seconded by A. Mohr

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	YES	9 YES – MOTION CARRIED	

NATIONAL AMERICAN UNIVERSITY – Request for Reorganization of BSN Program, Waiver of Program Administrator Qualifications: Julia Bronner, Cindy Price, and Noreen Reding were present to support the requests. The number of students has been greater than anticipated and NAU is committed to successfully serve them. MOTION: K. Possehl moved that the South Dakota Board of Nursing:

- grant the request for reorganization of the BSN Program with a campus in Sioux Falls, contingent on documentation of appointment of a doctorally prepared program chair for the Sioux Falls campus;
- grant the request for waiver of the doctoral requirement for Cynthia Price, Program Chair in Rapid City, contingent on her completion of current plan of study in DNP Program and appointment of Sioux Falls Chair as above.

Seconded by P. Wagner

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	YES	9 YES – MOTION CARRIED	

SOUTHEAST TECHNICAL INSTITUTE – Prerequisite Approval Status Request for the LPN to Associates RN Program: Jim Jacobson, STI Vice President of Academics, was joined by K. Possehl with documentation and supportive comments. Prospective start date is January 2012 with an initial cohort of 24, to expand to 32. LPNs must have 6-9 months work experience to enroll into this one-year program. Curriculum development, faculty and staff FTEs, articulation to BSN, transferable credits, physical space, clinical space, resources, budget and funding were discussed.

MOTION: D. Soholt moved that South Dakota Board of Nursing approve the request for Prerequisite Status for LPN to RN Associate Degree in Nursing Program with a start date of Spring Semester 2012.

Seconded by L. Bunkers

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	RECUSED	8 YES – MOTION CARRIED	

**DISCIPLINE**

JAY A. ERICKSON: K. O'Connell presented an update. The case has been remanded to the Board of Nursing by the 7<sup>th</sup> Circuit Court based on errors of law, so a new Hearing will be held.

DISCIPLINE COMMITTEE MINUTES of June 2011 were approved prior to this meeting.

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THE BOARD MOVED INTO CLOSED SESSION FOR PURPOSES OF DISCIPLINE

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THE BOARD RECONVENED IN OPEN SESSION

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**CONSENT AGENDA**

- 1 Cassandra Marie Shepard, R037991 - Accept Voluntary Surrender
- 2 Debra Jo Jabbour, R023164 - Accept Voluntary Surrender
- 3 Sheri D. Deibert, R031241 - Accept Voluntary Surrender or Summarily Suspend
- 4 T. L. B. - Mandate 5 years HPAP
- 5 Lorraine Marietta Nez, P010080 - Continue Probation 5 years and Mandate HPAP 5 years
- 6 J. A. A. - Mandate HPAP 5 years
- 7 K. J. K. - Dismiss
- 8 S. E. D. - Dismiss
- 9 T. M. F. - Dismiss
- 10 Alana N. Rogers, P009538 - Probation, single-state; if not agreed, Summarily Suspend
- 11 C C. L., RN Applicant by endorsement - Grant licensure
- 12 E. R. P., RN Applicant by exam - Grant licensure
- 13 J. M. J., RN Applicant by exam - Grant licensure
- 14 S. N. M., RN Applicant by exam - Grant licensure
- 15 R. D. D., RN Applicant by exam - Board Appearance
- 16 C. E. B., - Continue Investigation
- 17 J. I. G., RN Applicant by Endorsement - Grant licensure
- 18 J. H. B., RN Applicant by Endorsement - Grant licensure

MOTION: L. Bunkers moved that the South Dakota Board of Nursing approve the Consent Agenda as presented.

Seconded by A. Mohr

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	YES	9 YES – MOTION CARRIED	

R. D. D. – FORMAL APPEARANCE: Kathleen Rausch, Nursing Program Specialist, presented background. R. D. D. was present to address the Board.

MOTION: D. Soholt moved that the South Dakota Board of Nursing grant an RN license to R. D. D. upon successful completion of the NCLEX exam.

Seconded by K. Possehl

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	YES	9 YES – MOTION CARRIED	

B. J. S. – FORMAL APPEARANCE: Kathleen Rausch, Nursing Program Specialist, presented background. B. J. S. was present to address the Board.

MOTION: L. Bunkers moved that the South Dakota Board of Nursing grant a RN license to B. J. S. with mandated HPAP evaluation to include follow through with the HPAP recommendations. This needs to be completed within thirty days.

Seconded by D. Soholt

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	YES	9 YES – MOTION CARRIED	

A. M. W. – FORMAL APPEARANCE: Kathleen Rausch, Nursing Program Specialist, provided background; A. M. W. was present to address the Board.

MOTION: D. Soholt moved that South Dakota Board of Nursing grant a Practical Nurse license to A. M. W.  
Seconded by L. Bunkers

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	YES	9 YES – MOTION CARRIED	

P. L. T. – FORMAL APPEARANCE: Kathleen Rausch, Nursing Program Specialist, presented background. P. L. T. was present to address the Board.

MOTION: K. Possehl moved that P. L. T. undergo a Board mandated psychiatric evaluation at the Board's expense, and the Board will reevaluate the Request for Reinstatement based on the recommendations of the psychiatrist.

Seconded by J. Larson

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	YES	9 YES – MOTION CARRIED	

ERIN KELLY FOX, P010393: Kathleen Rausch, Nursing Program Specialist, presented an update.

MOTION: J. Larson moved that the South Dakota Board of Nursing request a Voluntary Surrender of the license of Erin Kelly Fox, P010393. Advise her to continue enrollment in HPAP and follow all recommendations set forth by HPAP.

Seconded by A. Mohr

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	RECUSE
Disburg	YES	Possehl	YES	8 YES – MOTION CARRIED	

COMMITMENT TO ONGOING REGULATORY EXCELLENCE (CORE) REPORT: G. Damgaard provided a summary based on handouts provided earlier. Most areas in which South Dakota Board of Nursing scored below average are due to the fact that this is a smaller Board, for example, the number of complaints against nurses and the number of potential violations regarding those complaints. It was noted that this may be related to the fact that South Dakota has not instituted mandatory reporting. This Board scored low regarding approval of nursing education programs, likely due to the fact that South Dakota has a smaller population compared with other states, however, distance education approval is an item that this Board may choose to address. Online licensure application and renewal rates should improve with implementation of the new licensure database system, expected later this year. This Board scored above average in several areas, such as: time involved in resolution of discipline cases; effectiveness of the Board in its mission of public protection and its responsiveness to changes in practice; helpfulness of the Board regarding practice questions and issues as well as non-practice related questions; helpfulness of the Board to education programs; time to process licensure applications and renewals; Board website; Board newsletter; accessibility of statutes and rules related to nursing; adequate involvement in nursing practice, workplace, and legislative issues. Of the twenty-two narrative comments, twenty were positive.

LAKE AREA TECHNICAL INSTITUTE Statement of Intent for LPN-RN Program: This was an informational piece.

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THE BOARD MOVED INTO CLOSED SESSION FOR PURPOSES OF PERSONNEL

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THE BOARD RECONVENED IN OPEN SESSION

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2012 BUDGET Adoption: Business Manager Robert Garrigan reviewed the budget for the upcoming fiscal year.  
MOTION: The FY 2011-2012 Budget was approved as presented in a unanimous voice vote.

2011 NURSING EDUCATION LOAN ASSISTANCE Program Awards: Business Manager Robert Garrigan presented based on the handout provided. All applicants are eligible to receive the loan assistance requested.  
MOTION: The Nursing Education Loan Assistance Program awards were approved as presented in a unanimous voice vote.

UNIVERSITY OF SIOUX FALLS – CCNE Accreditation: G. Damgaard reviewed this briefly with the Board.

SCOPE OF PRACTICE REQUEST – Gastric Band Adjustments by RNs: L. Young presented based on the documents that had been previously distributed to the Board members.

MOTION: D. Soholt moved that the South Dakota Board of Nursing approve gastric band adjustments as within the RN scope of practice provided:

- The Registered Nurse has completed additional education and has demonstrated competence in performing the procedure; and
- A Physician / Licensed Independent Practitioner (LIP) competent in bariatric medicine has examined the patient and determined the amount of solution to add or subtract from the band prior to the trained Registered Nurse performing the procedure.

Seconded by L. Bunkers

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	YES	9 YES – MOTION CARRIED	

USD NURSING NOTIFICATION OF INTERIM CHAIR: Provided as an informational piece.

DEPARTMENT OF SOCIAL SERVICES COMMUNICATION REGARDING MANDATORY REPORTING of Abuse and Neglect: An article disseminating this information will be included in the next issue of the *Dakota Nurse Connection*.

HPAP COMMUNICATION: Char Skovlund is leaving HPAP as its director.

CNP SCOPE OF PRACTICE – Request to Perform Percutaneous Tracheostomy Tube Placement: L. Young presented the request based on the documents provided.

MOTION: D. Soholt moved that South Dakota Board of Nursing approve modification to Donna Dickey's Collaborative Agreement with Dr. Eric Rolfsmeyer to allow her to perform percutaneous tracheostomy.

Seconded by L. Bunkers

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	YES	9 YES – MOTION CARRIED	

PETITION TO ALLOW TRAINED UAPS TO DIAL INSULIN PEN DOSE for Self-Administration: Following discussion, the consensus of the Board is that a nurse may delegate dialing of an insulin pen to a trained, competent medication aide.

MOTION: D. Soholt moved that the South Dakota Board of Nursing determined that a nurse may delegate to a trained medication assistant who has met the competency requirements pursuant to ARSD 20:48:04.1 the task of dialing a dose on an insulin pen for a client who is otherwise capable of insulin self-administration.

Seconded by P. Wagner

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	ABSENT	Wagner	YES
Disburg	YES	Possehl	YES	8 YES – MOTION CARRIED	

**UPCOMING EVENTS**

- June 21-22, 2011 Executive Officer Seminar, Savannah GA
- July 12-14, 2011 CNW Participatory Leadership Conference
- August 3-5, 2011 NCSBN Annual Meeting, Indianapolis IN
- August 19, 2011 APN Advisory Committee Meeting
- August 23-24, 2011 NCSBN Long Term Care Conference
- August 30, 2011 CNW Governance Council Meeting
- October 4-6, 2011 Leadership and Public Policy Conference, Alexandria VA

MOTION: D. Soholt moved that the South Dakota Board of Nursing approve travel for October 4-6, 2011 Leadership and Public Policy Conference, Alexandria VA for up to three people.

Seconded by L. Bunkers

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	YES	Wagner	YES
Disburg	YES	Possehl	YES	9 YES – MOTION CARRIED	

MOTION: D. Berkland moved that the South Dakota Board of Nursing support the travel for up to two persons to attend Citizens Advocacy Conference, Washington DC, October 20-21, 2011.

Seconded by J. Larson

Berkland	YES	Jones	ABSENT	Mohr	YES
Bunkers	YES	Larson	YES	Soholt	YES
Callaghan	ABSENT	Neuharth	ABSENT	Wagner	YES
Disburg	YES	Possehl	YES	8 YES – MOTION CARRIED	

Next Board Meeting: September 13-14, 2011 in Sioux Falls  
 Joint Board to meet September 14, 2011, 9:00 a.m.

**STAFF ACTIVITIES**

- A) L. Young - SDSU CCNE Reception, April 4, 2011
- B) G. Damgaard & L. Young - Developmental Disabilities Facility Survey of Medication Administration Program, April 13, 2011
- C) G. Damgaard & L. Young - Developmental Disabilities Delegation Presentation, April 20, 2011
- D) E. Matthies - LATI Nursing Student Presentation, April 21, 2011
- E) G. Damgaard & L. Young - Changes & Challenges in Diabetes Care, May 3-4, 2011
- F) G. Damgaard & L. Young - SDNA Diabetes Education Program & Meeting, May 10, 2011
- G) R. Garrigan & E. Matthies - NCSBN IT Summit, May 10-11, 2011
- H) K. Rausch & G. Damgaard - NCSBN Attorney Investigator Conference, May 24-26, 2011
- I) G. Damgaard & K. Rausch - NCSBN NLC & Consumer Conference, June 8-9, 2011
- J) G. Damgaard - Criminal Background Check Workgroup Meeting, June 10, 2011

**ADJOURNMENT:** 4:04 p.m.