

WHEREAS, after three years of successful participation in the HPAP program it was determined that the Licensee had successfully completed her monitoring contract and on January 20, 1999, Licensee was granted an active and unencumbered license; and

WHEREAS, on January 22, 2002, following a relapse, the Board accepted a Voluntary Surrender Consent Order that was signed by the Licensee on December 22, 2001; and

WHEREAS, subsequent to said surrender, the Licensee, on April 11, 2003, was convicted on several counts of felony possession of a controlled substance by fraud. This conviction was followed by a DUI. A probation violation in 2006 resulted in jail time; and

WHEREAS, on April 27, 2009, the Licensee re-enrolled in HPAP and indicated a readiness to pursue nursing again; and

WHEREAS, the Licensee made a written reinstatement request to the Board dated September 30, 2010. The Licensee also enrolled in the RN refresher course through South Dakota State University and successfully completed the program on June 15, 2010; and

WHEREAS, Licensee personally appeared before the Board on November 19, 2010, at which time the matter of Licensee's reinstatement was presented to the Board. The Licensee presented a letter of reference from the clinical supervisor of her employment as a chemical dependency counselor, a position she has held since December

1, 2009. The Board was also provided with an evaluation report from HPAP, dated November 1, 2010. Char Skovlund of HPAP provided testimony and answered questions in regards to the HPAP report and recommendations. Licensee also provided testimony and answered questions of the Board; and

WHEREAS, the Board has considered the Licensee's request, the statement and documents submitted by the Licensee, the previous Orders, the report and testimony provided by HPAP, and Licensee's own testimony and being fully advised in the premises;

NOW THEREFORE IT IS HEREBY ORDERED:

1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Order.
2. That the Licensee's license to practice as a registered nurse in the State of South Dakota is hereby reinstated and placed on probationary status for sixty (60) months of active practice as a registered nurse.
3. That the Board hereby mandates Licensee's continued participation in the Health Professionals Assistance Program for a period of five years of active nursing practice from the date of this Order.
4. All probationary monitoring terms and conditions in regards to this reinstatement, as well as clearance to return to employment and any restrictions on access to narcotics, shall be set by HPAP, and the Licensee shall fully comply with those terms

and conditions.

5. After verification from the HPAP that the Licensee has completed all monitoring terms, the Licensee may petition the Board for closure of her probation. The Licensee is not entitled to early closure of probation. The duration of the terms of probation as set by the HPAP, shall not be less than the initial term of sixty (60) months, and it is recognized that the Board may require additional probationary time or additional terms upon completion of HPAP. Additionally, Licensee shall comply with the following conditions during her probation:

CONDITIONS

1. Licensee shall at any time during the period of probation report in person to such meetings of the Board or to its designated representative as directed and otherwise fully cooperate with the Board or its representatives in terms of this probation.
2. The Licensee shall notify the Board, as well as the HPAP, in writing, within one (1) week of any change in nursing employment, personal address, and/or telephone number.
3. Licensee shall pay for all costs and expenses in carrying out conditions of probation.
4. That within ten (10) days of the effective date of this order, Licensee shall be issued her RN license by the Board office and it is to be stamped "PROBATION".
5. If the Licensee violates and 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. Licensee shall not violate any law or regulation regarding the practice of nursing.

7. The 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.

8. This probation also effects 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 requirements set forth in this order as her South Dakota license.

IT IS HEREBY ORDERED that the above Reinstatement Order with Probation was adopted by the South Dakota Board of Nursing on the 19th day of November, 2010, by a vote of 8 - 0.

SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, Executive Director