

**STATE OF SOUTH DAKOTA  
DEPARTMENT OF COMMERCE AND REGULATION  
SOUTH DAKOTA BOARD OF NURSING**

\*\*\*\*\*

**IN THE MATTER OF THE LICENSURE  
PROCEEDINGS RE:**

**REBECCA REED, RN**

**License No. R-025840**

**Licensee.**

**ORDER OF  
REINSTATEMENT  
WITH  
PROBATION**

\*\*\*\*\*

WHEREAS, following a hearing on September 16, 1999, the Board issued its findings of fact and conclusions of law and order revoking license ordering Rebecca Reed's license be revoked subject to reinstatement requests pursuant to SDCL 36-9-57, as the Board in its discretion may determine, and

WHEREAS, although Licensee also had her CNP License revoked in the same order in September, 1999, that reinstatement request will be the subject of a different order following the joint meeting of the South Dakota Board of Nursing and the South Dakota Board of Medical and Osteopathic Examiners and nothing in this Order relates to the Licensee's CNP License except insofar as the RN License is a prerequisite for CNP licensure; and

WHEREAS, Licensee made a reinstatement request in writing and was personally present with her attorney Jeffrey Larson at the Board's July 13, 2000, meeting at which time the matter of Licensee's reinstatement was presented to the Board, and Licensee and her attorney presented statements and answered questions of the Board, and

WHEREAS, the Board has considered such request, testimony, statements, documents and orders, and is 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. Licensee's license to practice nursing is placed upon a probationary status for a period of thirty six (36) months of active practice as a nurse and employment in nursing practice from the date of this order, which probationary terms and conditions as set forth below shall be completely followed by the Licensee.

**CONDITIONS:**

1. Licensee shall sign a release of information for employers and any other information reasonably requested by the Board related to Licensee's employment or the performance of the conditions of this stipulation. Information to be submitted directly to the Board office.
2. Licensee will notify the Board of any employment in the healthcare field, including changes in employment. **Licensee may not be employed as a licensed nurse in the Reed-Hansen Clinic in Huron, South Dakota, and any employment as a licensed nurse must be pre-approved in writing by the Board staff.** 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) Licensee's ability to handle stress;
  - f) Licensee's sobriety
  - g) Number of hours Licensee worked during the reporting period;

- h) Any other information, which the supervisor believes would assist the Board in its ultimate review of the case.
  - i) The employer agrees to report any concerns or violations of the Stipulation and Order to the Board of Nursing immediately.
3. Licensee shall not be employed by a temporary agency.
4. Licensee shall observe the following minimum employment restrictions:
- a) may only administer controlled substances under the direct supervision of another nurse for a period of at least 6 months..
  - b) will not have access to narcotic keys for at least 6 months;
  - c) will not hold a charge or supervisory position for at least 6 months.
  - d) Will only practice under the on-site supervision of a registered/licensed nurse in good standing with the Board for a period of a minimum of 6 months. The supervising nurse shall be primarily one (1) person, who may periodically delegate to other qualified personnel.
  - e) Notwithstanding anything to the contrary in this paragraph 4, it is intended that the above restrictions 4 a) to 4 e) are minimum restrictions and if the HPAP program determines that longer restrictions on any of these items are required, Licensee shall comply with the HPAP program.
5. 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.

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, peer support and family 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.
6. 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.

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 change in nursing employment, personal address and/or telephone number.
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, in addition to the imposition of the suspension above, the Licensee agrees that 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 Order shall carry over to any license or privilege to practice in South Dakota that the Licensee receives pursuant to said multi-state compact. Licensee shall obtain the specific approval of any compact state board of nursing in which she desires to practice before using her South Dakota home state license to practice in such compact state.
15. Licensee shall continue successful participation in the Health Professionals Assistance Program (herein "HPAP")
16. Licensee shall have no violation of any law or regulation concerning the practice of nursing or any other health care licenses the licensee may hold.
17. Licensee shall abstain completely from the personal use of alcoholic beverages.

18. Licensee shall abstain completely from the personal use or possession of controlled substances, as defined in the South Dakota law, and dangerous drugs as defined in the law, or any drugs requiring a prescription, except as otherwise provided for herein. A report shall be submitted by any and all physicians and/or dentists who have prescribed drugs for the Licensee during the period of probation, within 30 days of the prescription, and shall provide and/or address the name, dosage, frequency and purpose for the drug prescribed for the Licensee; confirmation that the physician and/or dentist has been informed of the Licensee's chemical dependency history; and any other information which the reporter believes would assist the Board in its ultimate review of the case.
19. Licensee shall execute all release of information forms as may be required by the Board or its designee.
20. Licensee may petition the Board in writing for early closure or reconsideration of the terms of this probationary order after two years of successful completion of the terms outlined in this order.
21. In the event that Licensee does not work in nursing within two(2) years of the effective date of the Order, Licensee may petition the Board for reevaluation of the probationary conditions.

3. All provisions and conditions of this Order shall carry over to any license or privilege to practice that the Licensee receives pursuant to the Interstate Nurse Licensure Compact.

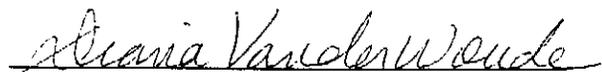
4. If any condition of this probation is violated, the Board may take such actions as the Board deems necessary up to and including a total and complete revocation of Licensee's licensing rights as a nurse in South Dakota.

Dated this 13th day of July, 2000.

SOUTH DAKOTA BOARD OF NURSING

  
Executive Secretary, Diana Vander Woude

The above-captioned Order was adopted by the South Dakota Board of Nursing on the 13th day of July, 2000, by a vote of 9-yes

  
Executive Secretary, Diana Vander Woude