

was provided with an Evaluation Report from the Health Professionals Assistance Program (“HPAP”) dated March 31, 2010. Char Skovlund of HPAP provided testimony and answered questions in regards to the HPAP report and recommendations. The Licensee also provided testimony and answered questions of the Board; and

WHEREAS, on April 22, 2010, the South Dakota Board of Nursing issued an Order of Reinstatement with Probation. Said Order mandated Licensee’s continued participation in HPAP until December 2012, provided she maintain active practice as a registered nurse. All probationary monitoring and conditions in regards to this Order, including narcotic restrictions in the workplace setting, as well as clearance to employment, were set by HPAP and Licensee was to be fully compliant with those terms and conditions; and

WHEREAS, on or about December 22, 2010, Licensee admitted to diversion of narcotics from her place of employment in Watertown, South Dakota; and

WHEREAS, Licensee has agreed that she would surrender her South Dakota nursing license; and

WHEREAS, the South Dakota Board of Nursing (“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, Licensee agrees that the matters under investigation would be of a nature that would constitute grounds for the discipline of her license to practice nursing in

South Dakota under SDCL § 36-9-49; and

WHEREAS, the Licensee agrees that she enters into this Voluntary Surrender Consent Order voluntarily and without duress or compulsion, in full understanding of the legal consequences of this document and her rights; therefore,

IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Voluntary Surrender Consent Order.
2. That on September 15, 2009, the South Dakota Board of Nursing (“Board”) accepted a Voluntary Surrender Consent Order that was signed by the Licensee, arising out of Licensee’s ongoing non-compliance with Board mandated participation in the South Dakota Health Professionals Assistance Program (“HPAP”), following her 2005 diversion of Lortab from her place of employment in Brookings, South Dakota. Said Voluntary Surrender Consent Order is hereby incorporated as if fully set forth herein.

The Voluntary Surrender Consent Order suspended the Licensee’s RN license for an indefinite period subject to a reinstatement request pursuant to SDCL § 36-9-57, as the Board in its discretion may determine.

That the Licensee made a reinstatement request to the Board, in writing, dated March 15, 2010, and personally appeared before the Board on April 22, 2010, at which time the matter of Licensee’s reinstatement was presented to the Board. The Board was provided with an Evaluation Report from the Health Professionals Assistance Program

("HPAP") dated March 31, 2010. Char Skovlund of HPAP provided testimony and answered questions in regards to the HPAP report and recommendations. The Licensee also provided testimony and answered questions of the Board.

On April 22, 2010, the South Dakota Board of Nursing issued an Order of Reinstatement with Probation. Said Order mandated Licensee's continued participation in HPAP until December 2012, provided she maintain active practice as a registered nurse. All probationary monitoring and conditions in regards to this Order, including narcotic restrictions in the workplace setting, as well as clearance to employment, were set by HPAP and Licensee was to be fully compliant with those terms and conditions.

That on or about December 22, 2010, Licensee admitted to diversion of narcotics from her place of employment in Watertown, South Dakota, and now intends to leave the profession of nursing as a registered nurse.

3. That the Licensee has been given an opportunity to discuss this Voluntary Surrender Consent Order with an attorney of Licensee's choice, and is aware of her right to a hearing in this matter, and of her rights under the United States and South Dakota Constitutions, laws, rules and/or regulations. Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or any other rights under said Constitutions, laws, rules and/or regulations. Licensee also agrees that the Board's Executive Director or her designee may present this Voluntary Surrender Consent Order to the Board and disclose to the Board all items of her investigation, including, but not limited to, any

communications with Licensee.

4. That the Licensee's license to practice nursing in South Dakota and her privilege to practice nursing pursuant to the Nurse Licensure Compact shall be surrendered and the Board shall suspend said license for an indefinite period from the date of this Order. Licensee may apply to have her license reinstated for good cause shown.

5. That nothing in this Voluntary Surrender Consent Order should imply that the Licensee shall be reinstated. Licensee recognizes that the reinstatement terms, as well as the requirements for reinstatement, are at the sole discretion of the Board.

6. That if the Licensee requests reinstatement, Licensee has the burden of presenting information showing that Licensee's license should be reinstated.

7. That it is further stipulated and agreed that this Voluntary Surrender Consent Order is being entered into voluntarily by the Licensee and without threats or coercion and is entered into after the Licensee has been given ample opportunity to consider these matters and to discuss this Voluntary Surrender Consent Order with an attorney of Licensee's choice and that the Licensee has a full understanding of the legal consequences of this Voluntary Surrender Consent Order and of the Licensee's rights to a formal hearing on these matters, which rights are hereby waived by the signing of this Voluntary Surrender Consent Order.

8. This action is reportable discipline and will be published in the Board's Newsletter and posted on its website and reported into the Healthcare Integrity and Protection

Data Bank (HIPDB) and National Practitioner Data Bank (NPDB) as required by law.

9. That the Board may enter an Order consistent with the terms of this Stipulation.

NOW, THEREFORE, the foregoing Voluntary Surrender Consent Order is entered into and is respectfully submitted to the Board with the request that the Board adopt its terms as an Order of the Board in the above matter.

Dated this 5 day of Jan, 2011.


Brenda K. Runge, R.N., Licensee

The South Dakota Board of Nursing meeting on the 27th day of January 2011, (approved)(rejected) the attached Voluntary Surrender Consent Order (as written) (with the following modifications):

and issued its Order as follows:

IT IS HEREBY ORDERED that the above Voluntary Surrender Consent Order is adopted shown herein by the South Dakota Board of Nursing this 27th day of January 2011, by vote of 8-0.

SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, Executive Director