



failure to operate under the requirements of the South Dakota Department of Health regarding mandated reporting in the event of unexpected deaths or suspected abuse; 2) the failure to develop policies and procedures for the administration of medication and for the audit of medication administration; 3) the lack of proper documentation of resident care within the residents' charts; 4) failure to have an organized governing body legally responsible for the overall conduct of the facility and the promotion of residents' rights; 5) failure to review policies and procedure and update as needed; 6) lack of policies and procedures regarding residents' self administration of medications; 7) lack of documentation of observations by personnel or other persons authorized to care for residents. Licensee resigned her position on May 18, 2011. Such conduct, acts or omissions which may have caused harm to the health and safety of persons entrusted to Licensee's care, violated provisions of the rules and statutes regulating the practice of nursing and are in violation of SDCL § 36-9-49(5), (7), and (10).

WHEREAS, the Licensee recognizes that these matters are of a nature which would constitute grounds for the discipline of her license to practice nursing in South Dakota; 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, the Licensee has expressed a desire to enter into this agreement with

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the Board without the necessity of additional formal disciplinary proceedings and hearings;  
and

WHEREAS, it is the intent of this Stipulation to provide for a settlement of the licensing issues presented by the Licensee's conduct, in a professional manner, without the necessity of further hearings and proceedings herein, and to provide for a responsible resolution; NOW, THEREFORE,

IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

1. That the Board has jurisdiction over the person of this Licensee and the subject matter of this Stipulation.
2. That the Licensee hereby agrees to a voluntary six (6) month suspension of her nursing license and her right to practice as a registered nurse in the State of South Dakota. Said suspension will begin on the date in which this Stipulation is signed by the Licensee and is approved by the Executive Director of the Board of Nursing. After the six (6) month suspension, the Licensee's license will be reinstated and placed on probationary status for a period of two (2) years or twenty-four (24) months.
3. During the suspension, the Licensee will be required to complete the following learning modules: (1) Ethics of Nursing Practice; (2) Professional Accountability and Legal Liability for Nurses; and (3) Delegating Effectively. Licensee is responsible to purchase and complete these modules no later than six (6) months from the date of the approval of this Stipulation. Successful certificates of completion shall be

returned to the Board of Nursing. Licensee can register for these modules on the following website: [www.learningext.com](http://www.learningext.com).

4. That following the six (6) month period of suspension, the Licensee's license to practice will be reinstated and placed on probationary status for a period of not less than two (2) years or twenty-four (24) months of active practice as a nurse or employment in nursing practice. The probationary terms and conditions set by the Board shall be completely followed by the Licensee. The Licensee shall fully comply with these terms and conditions. The duration of the terms of probation will be for a period of two (2) years or twenty-four (24) months, and it is recognized that the Board may require additional probationary time or additional terms upon the completion of probation. In addition, Licensee shall comply with the following during her probation:

CONDITIONS:

1. That the Licensee shall at any time during the period of 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 probation.
2. That the Licensee shall notify the Board, in writing, within one (1) week of any change in nursing employment, during the probation, including her personal address and her telephone number.
3. Licensee shall pay for all costs and expenses in carrying out any conditions

of the probation.

4. Within ten (10) days of the end of the suspension, Licensee will be issued a renewal certificate and it will be stamped "PROBATION."

5. If Licensee violates any terms of this probation, the Licensee agrees that the Board may take 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.

7. If the Licensee obtains a license issued solely or under joint regulatory powers by the Board, other than the license to which this Stipulation refers, at any time during the period of the probation, the terms of this probation shall apply to the other or additional license(s) issued by the Board.

8. Licensee shall not violate any law or regulation regarding the practice of nursing.

9. 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.

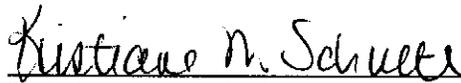
10. This probation also affects Licensee's practice privilege to practice in South Dakota should Licensee change her home state under the Nurse Licensure Compact.

The Licensee has been given the opportunity to discuss this Stipulation with an

attorney of Licensee's choice, and is aware of Licensee's right to a hearing on this matter, and all rights under the United States and the South Dakota Constitution, laws, rules and/or regulations. The Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or other rights under said Constitution, laws, rules, and/or regulation. The Licensee is entering into this Stipulation voluntarily and without duress or compulsion. Licensee also agrees that the Board's Executive Director may present this Stipulation to the Board and disclose to the Board all items of her investigation, including, but not limited to, any communications with Licensee.

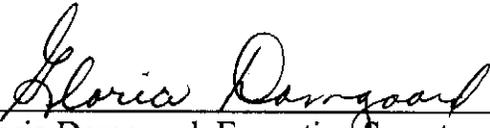
NOW, THEREFORE, the foregoing Stipulation is entered into and is respectfully submitted to the Board with the request that the Board adopt its terms as an order of the Board in the above matter.

Dated this 3<sup>rd</sup> day of October, 2011.

  
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Kristiane M. Schulte, RN - License R-021727

The South Dakota Board of Nursing meeting on the 13th day of September, 2011, approved the attached Stipulation as written by a vote of 11 – 0, and issued its Order for Suspension, Remediation, Followed by Probation consistent herewith as follows:

IT IS HEREBY ORDERED that the above Stipulation is adopted as an Order of the South  
Dakota Board of Nursing this 7<sup>th</sup> day of October, 2011.

  
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Gloria Damgaard, Executive Secretary