

FINDINGS OF FACT

1. That Susan A. Shutt is licensed to practice as a registered nurse in the state of South Dakota and holds License No. R-028716.
2. That on or about May 6, 2005, Licensee submitted an application for renewal of her license. The renewal application could not be processed by the Board as it did not include a renewal fee nor a completed verification of employment.
3. In the application, Licensee disclosed a narcotic violation involving a prescription for hydrocodone that occurred on or about June, 2003.
4. In the application, Licensee revealed that she had received a suspended imposition of sentence with probation on criminal charges arising out of the narcotic violation.
5. Because of the self-report of a narcotic violation, Licensee was scheduled to meet with the Board's staff for an Informal Meeting on July 6, 2005.
6. Licensee did not appear for the Informal Meeting.
7. Licensee has not responded to subsequent contacts by the Board staff.

From the foregoing Findings of Fact, the Board draws the following

CONCLUSIONS OF LAW

1. That the South Dakota Board of Nursing has jurisdiction and authority over this matter pursuant to SDCL §§ 36-9-1.1 and 36-9-49.
2. Licensee's conduct as identified in the Findings of Fact are in violation of

SDCL § 36-9-49(4)(7) and (10).

3. That ARSD 20:48:04:01(1)(d) provides that the Board recognizes the *Standards of Clinical Nursing Practice*, 1991, and *Code for Nurses with Interpretative Statement*, 1985, published by the American Nurses Association as criteria for assuring safe and effective practice following licensure. The Code of Ethics requires an RN to function within an established legal guideline and uphold the basic standards of nursing practice.

Therefore, let an Order be entered accordingly.

ORDER

Based on the Findings of Fact and Conclusions of Law the South Dakota Board of Nursing hereby orders:

1. That Licensee's request for renewal to practice nursing in the State of South Dakota is hereby denied.
2. That Licensee may petition pursuant to SDCL § 36-9-57 for reinstatement of her license at any time for "good cause."
3. That Licensee is hereby notified that any practice as or holding herself out as a registered nurse is a violation of SDCL § 36-9-68.

Dated this 21st day of November, 2005.

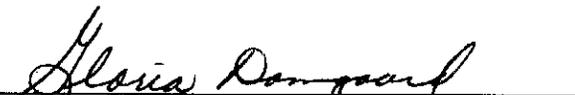
SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, Executive Secretary

The above Findings of Fact and Conclusions of Law and Order were adopted by the South Dakota Board of Nursing on the 14th day of November, 2005, by a vote of 10-0.

Dated this 21st day of November, 2005.

SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, Executive Secretary