



## FINDINGS OF FACT

1. That Rebekah J. Stallings, RN, is licensed to practice as a registered nurse in the State of South Dakota, and holds license number R-031565.
2. That Licensee had been working as a registered nurse at the Rapid City Regional Hospital between 2004 until her termination from that job in April, 2008.
3. That in January, 2008, the Licensee was treated at Keystone for alcohol dependency. During that time, she voluntarily entered into the South Dakota Health Professionals Assistance Program (“HPAP”).
4. The Licensee signed her HPAP Participation Agreement on January 24, 2008.
5. Immediately after entering participation in HPAP, the Licensee had difficulty complying with the terms and conditions of her HPAP Agreement and successfully maintaining her sobriety.
6. On or about May 28, 2008, Maria Eining, Director of the Health Professionals Assistance Program, pursuant to the Participation Agreement and South Dakota law, referred Licensee’s non-compliance with HPAP to the South Dakota Board of Nursing for further action.
7. Attempts to contact the Licensee regarding the HPAP referral were unsuccessful.
8. Licensee did have contact with the Board investigator at the time she attempted to renew her license in July of 2008. The investigator offered the Licensee the opportunity to renew her HPAP Agreement.

9. There is no information as to how the Licensee may be addressing or handling her alcohol dependency at this time.

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

### **CONCLUSIONS OF LAW**

1. 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. That the Licensee's conduct as identified in the Findings of Fact are inconsistent with health and safety of persons entrusted to her care and violates the statutes, rules, and regulations regarding the practice of nursing and are in violation of SDCL § 36-9-49(4), (5), and (7).

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 the Licensee's license to practice as a registered nurse in the State of South Dakota is hereby indefinitely suspended for failure to follow the terms of her HPAP Agreement.

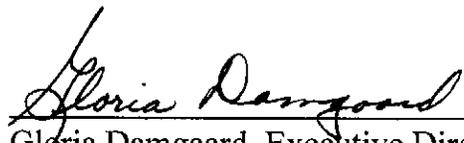
2. That the Licensee may petition according to SDCL § 36-9-57 for reinstatement of her license at any time upon a showing for "good cause". Any reinstatement request must include documentary evidence of at least six (6) month of documented sobriety.

3. That the Licensee shall turn in her license to the Board of Nursing within ten (10) day of this Order.

4. That the Licensee is hereby notified that any practice as, or holding herself out as, a registered nurse during the terms of this suspension is in violation of SDCL § 36-9-69.

Dated this 21<sup>st</sup> day of November, 2008.

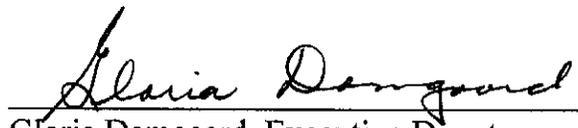
SOUTH DAKOTA BOARD OF NURSING

  
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Gloria Damgaard, Executive Director

The above Findings of Fact , Conclusion of Law, and Order of Suspension were adopted by the South Dakota Board of Nursing on this 13th day of November, 2008, by a vote of 9 - 0 .

Dated this 21<sup>st</sup> day of November, 2008.

SOUTH DAKOTA BOARD OF NURSING

  
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Gloria Damgaard, Executive Director