

SOUTH DAKOTA BOARD OF NURSING

IN THE MATTER OF THE
LICENSURE PROCEEDINGS

RE: SANDY STUNTEBECK, L.P.N.
License No. P-005699

STIPULATION AND ORDER

Licensee.

WHEREAS, Sandy Stuntebeck, L.P.N. ("Licensee"), is licensed to practice as a licensed practical nurse in the State of South Dakota and holds License number P-005699; and

WHEREAS, the said Licensee admits that while employed at Sioux Vocational Services, Sioux Falls, South Dakota, she engaged in conduct in violation of SDCL § 36-9-49(5), (7) and (10), in that while treating Mr. Albert Koch, who had developed a decubitus (pressure) ulcer, she did not properly consult or collaborate with the registered nurse members of her health-care team, or other resources and did not maintain appropriate written documents despite the fact that this was the first decubitus ulcer she had ever cared for, and she did not properly utilize the principles of the nursing process in the areas of safety, hygiene, elimination and nutrition, and such conduct was inconsistent with the health or safety of the persons entrusted to her care, was unprofessional and violates the statutes and rules regulating the practice of nursing; and

WHEREAS, the Licensee recognizes and agrees that these matters are of a nature which would constitute grounds for the discipline

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of her license practice nursing in South Dakota under SDCL § 36-9-49; 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 requested the Board's Executive Secretary to present this Stipulation to the Board for action and recognize that the Board may approve this Stipulation, reject it, or modify it; and

WHEREAS, the Licensee has expressed a desire to resolve this matter 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 solution; now, 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 Stipulation.

2. That the Licensee admits that while employed at Sioux Vocational Services in Sioux Falls, South Dakota, she engaged in conduct in violation of SDCL § 36-9-49(5), (7) and (10), in that while serving Mr. Albert Koch, who had developed a decubitus

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(pressure) ulcer, she did not properly consult or collaborate with the registered nurse members of her health-care team, or other resources and did not maintain appropriate written documents despite the fact that this was the first decubitus ulcer she had ever cared for, and she did not properly utilize the principles of the nursing process in the areas of safety, hygiene, elimination and nutrition

3. The Licensee has been given an opportunity to discuss this Stipulation with an attorney of Licensee's choice, and is aware of Licensee's right to a hearing in this matter, and all 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 is entering into this Stipulation voluntarily and without duress or compulsion. Licensee also agrees that the Board's Executive Secretary 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.

4. Licensee's license to practice nursing is placed upon a probationary status for a period of two (2) years of employment in nursing practice from the date of this Stipulation being approved by the Board, which probationary terms and conditions shall be completely followed by the Licensee as follows:

1. Licensee will notify the Board of any employment in the healthcare field, including changes in employment. Furthermore, the Licensee will inform any current or prospective employer with whom she seeks employment as a nurse, as to the

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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 days of service or within ten 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;
 - e) Licensee's ability to handle stress;
 - f) Number of hours Licensee worked during the reporting period;
 - g) Any other information which the supervisor believes would assist the Board in its ultimate review of the case.
2. Licensee shall not be employed by a temporary agency.
 3. 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.
 4. 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.
 5. Licensee shall provide documentation of completing eighteen (18) contact hours of continuing education in nursing ethics, and practical nursing standards of care. Documentation shall include written objectives; instructors qualifications in the subject, such as education and experience; method used to evaluate learning; written statement of participation provided by the instructor or a designee; and written evidence of successful completion. The continuing education activity shall be pre-approved by the Board or its representatives and

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shall be completed prior to the closure of the probationary period.

6. Licensee shall prepare a report (consisting of a minimum of four to five pages) addressing the following issues:
 - a) Acknowledge the nature of her wrongdoings and what she has learned from the experience;
 - b) Define the ethical concepts of beneficence, non-maleficence, autonomy, and the role of advocacy in nursing. Relate how these concepts apply to this particular incident.
 - c) Discuss appropriate measures to prevent this type of practice from occurring in the future.

References/resources utilized in the report shall be documented. Such report is to be submitted no later than ninety (90) days from the date of this Order.

7. Licensee shall not violate any law or regulation regarding the practice of nursing.
8. Licensee shall execute all release of information forms as may be required by the Board or its designee.
9. Within ten (10) days of the effective date of this Order, Licensee shall submit his/her license to the South Dakota Board of Nursing to be stamped "PROBATION."
10. Licensee shall notify the Board, in writing, within one (1) week of any changes in nursing employment, personal address and/or telephone number.
11. Licensee shall pay for all costs and expenses in carrying out any conditions of the probation.
12. 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.
13. The Licensee may petition the Board for early closure or reconsideration of the terms of the probationary agreement after eighteen (18) months of successful completion of the terms outlined in this Order.
14. In the event that the Licensee does not work in nursing within two (2) years of the effective date of the Order, Licensee may

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petition the Board for re-evaluation of the probationary conditions.

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 25 day of June, 1993.

Sandy Stuntebeck
Sandy Stuntebeck, L.P.N., Licensee

The South Dakota Board of Nursing meeting on the 14th day of July, 1993, (approved) (~~rejected~~) the attached Stipulation (as written) (with the following modifications):

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and issued its order of probation consistent herewith as follows:

IT IS HEREBY ORDERED that the above Stipulation is adopted shown herein by the South Dakota Board of Nursing this 14th day of July, 1993, by vote of 9-yes 1-abstain.

Diana VanderWoude RN MS
Diana Vander Woude, Executive Secretary

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