



would constitute grounds for the discipline of her license to 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, on November 9, 2006, appeared personally and with her attorney Douglas Dailey, before the South Dakota Board of Nursing to discuss the circumstances of her Agreement for Probation in the state of Nevada; and

WHEREAS, the State Board of Nevada has advised the South Dakota Board that the Licensee has been compliant with all aspects of her Agreement for Probation,

IT IS HEREBY ORDERED AS FOLLOWS:

1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Order.
2. Licensee has admitted to the facts and circumstances leading up to her probation in the state of Nevada and agrees that her conduct violates SDCL 36-9-49 (6), in that she has had disciplinary action taken in another state on her Registered Nurse License and such conduct would be inconsistent with the health and safety of persons entrusted to her care and would violate provisions of the rules and statutes regulating the practice of nursing in South Dakota.

3. That the South Dakota Board of Nursing hereby approves the reactivation of Licensee's license.

4. That Licensee's license to practice nursing in the state of South Dakota will be placed on probationary status for a period of one year commencing from the date that Licensee obtains employment as a Registered Nurse in the state of South Dakota.

5. The probationary terms and monitoring conditions shall be set by the Health Professionals Assistance Program ("HPAP") and the Licensee shall fully comply with these terms and conditions.

6. The Licensee, at her earliest opportunity, shall sign a Participation Agreement and become enrolled in the Health Professionals Assistance Program.

7. After verification from HPAP that the Licensee has fully completed all probationary and monitoring terms, the Licensee may petition the Board for closure of her probation.

8. The duration of the terms of probation as set by this Order and HPAP shall not be less than one year, and it is recognized that the Board may require additional probationary time or additional terms upon the completion of HPAP. Additionally, the Licensee shall comply with the following during her probation:

**CONDITIONS:**

1. 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. Licensee shall notify the Board, as well as the HPAP, in writing, within one (1) week of any change in nursing employment, personal address and/or telephone number.

3. Licensee shall pay for all costs and expenses in carrying out any conditions of the probation.

4. Licensee's license will be reissued and shall be stamped "PROBATION".

5. Notwithstanding anything in this Order contrary, should Licensee be convicted of a felony, which would be grounds for discipline under SDCL § 36-9-49, either relating to the allegations which led to this probation or to any other actions or omissions of the Licensee, the Licensee agrees that the Board may take further action against Licensee's license, including, but not limited to immediate suspension. Licensee agrees to immediately inform the Board of the outcome of any criminal charges presently or hereafter pending against Licensee.

6. If Licensee violates any terms of this probation, the Licensee agrees that the Board may take such actions against Licensee's license, as the Board deems necessary, up to and including an immediate suspension, additional probation terms, revocation or other disciplinary action.

7. If Licensee obtains a license issued solely or under joint regulatory powers

by the Board, other than the license to which this Order 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.

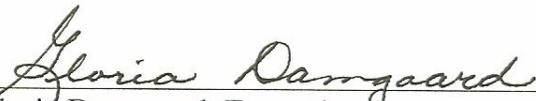
10. This probation also affects Licensee's practice privilege to practice in South Dakota should Licensee change her home state under the Nurse Licensure Compact and Licensee's practice privilege is subject to the same requirement set forth in this Order as her South Dakota license.

11. This final action is reportable discipline and will be published in the Board's Newsletter, posted on its web site, and reported into the HIPDB and NPDB data banks as required by law. The Licensee is required to provide affirmative response to inquires of disciplinary action on further renewals and other nursing related inquiries.

The South Dakota Board of Nursing meeting on the 9<sup>th</sup> day of November, approved this Order of Probation as written without modification and issues its Order of

Probation consistent herein as follows:

IT IS HEREBY ORDERED that the above is adopted as an Order of the South  
Dakota Board of Nursing this 9<sup>th</sup> day of November, 2006 by a vote of 9-0.

  
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Gloria Damgaard, Executive Secretary