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Gregory T. Rapp
CAMERA OPERATOR SIGNATURE



SOUTH DAKOTA BOARD OF NURSING
DEPARTMENT OF COMMERCE AND REGULATION
3307 S. Lincoln Ave
Sioux Falls, South Dakota 57105-5224
Phone. 605-335-4973

FILE COPY

July 15, 1994

Carol Wade
P.O. Box 145
Rosebud, SD 57570

Dear Carol:

The South Dakota Board of Nursing met for its regularly scheduled meeting on July 13-14, 1994 in Sioux Falls. This letter serves to formally notify you that the Board of Nursing approved your request for early closure of your probation as defined in the Stipulation For Consent Order dated July 15, 1993 Effective July 13, 1994 the status of your South Dakota nursing license is "active and unencumbered."

Notice of the Board action will be sent to M. Gretchen Brezarich at the Washington Board of Nursing. If you have any questions concerning this matter, feel free to telephone me at 335-4973.

With warm regards,

Mona Hohman
Nursing Practice Specialist

SOUTH DAKOTA BOARD OF NURSING

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IN THE MATTER OF THE
LICENSURE PROCEEDINGS

RE: CAROL A. WADE, R.N./C.N.P.
License No. R-021834/CNR0065,

STIPULATION FOR
CONSENT ORDER

Licensee.

* * * * *

WHEREAS, Carol A. Wade, R.N., C.N.P., ("Licensee"), is licensed to practice as a licensed registered nurse in the State of South Dakota and holds License numbers R-021834 and CNR0065; and

WHEREAS, Licensee has entered into an Agreed Settlement Order in the State of Washington, following a Petition for Disciplinary Action, with the Agreed Settlement dated July 31, 1992, agreeing to conditions placed upon her license to practice nursing in the State of Washington, copies of which are attached hereto; and

WHEREAS, the suspension of the Licenses by the State of Washington would constitute grounds for discipline of a nursing license under SDCL § 36-9-49(6); 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 recognizes 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 her license was subject to an Agreed Settlement following disciplinary action taken against the Licensee in the State of Washington, a copy of the Agreed Settlement and Order on Agreed Settlement in the State of Washington, is attached hereto.

3. The Licensee has been given an opportunity to discuss this Stipulation with an attorney of her choice, and is aware of her 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. Based solely upon the State of Washington action and Settlement Order, 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 shall cause psychiatrist or psychologist to submit an initial report to the Board, with evidence of monthly consultations and follow-up reports every six months thereafter; regarding the mental health status, treatment and prognosis in relation to Licensee's ability to safely practice as a nurse. The reports shall provide and/or address:
 - a) Verification that the psychiatrist or psychologist has seen a copy of the Stipulation and Order;
 - b) Diagnosis and any treatment plan;
 - c) Current stability on Licensee's medication(s), if applicable;
 - d) Licensee's ability to practice as a professional nurse;
 - e) Any other information which the reporter believes would assist the Board in its ultimate review of the case.
2. 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 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 professional 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.
3. Licensee shall not be employed by a temporary agency.
 4. Licensee shall arrange with the Board staff probationary meetings once every three (3) months during the first year of probation. The probationary meetings may be held by telephone. 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.
 5. 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.
 6. Licensee shall not violate any law or regulation regarding the practice of nursing.
 7. Licensee shall bear all costs associated with the compliance with these conditions.

If any condition of this probation is violated, the Licensee agrees that the Board may take such actions as the Board deems necessary up to and including a total and complete revocation of Licensee's licensing rights as a nurse in South Dakota.

It is further stipulated and agreed that this Stipulation is being entered into voluntarily by the Licensee and without threats or coercion and is entered into after the Licensee has been given

ample opportunity to consider these matters and to discuss this Stipulation with an attorney of her choice and that the Licensee has a full understanding of the legal consequences of this Stipulation and of the Licensee's rights to a formal hearing on these matters, which rights are hereby waived by the signing of this Stipulation.

This Consent Order will be published in the Newsletter of the South Dakota Board of Nursing with the additional legend:

"Based solely upon a Consent Order from the State of Washington."

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 4th day of April, 1993.

Carol A. Wade R.N. C.N.P.
Carol A. Wade, R.N., C.N.P., Licensee

The South Dakota Board of Nursing meeting on the 15th day of July, 1993, (approved)(rejected) the attached Stipulation (as written); (with the following modifications):

At the request of the licensee the following modifications to the Order have been approved by the Board:

1. For the purpose of paragraph 4.1, page 3, the required reporting to the Board of Nursing will continue for the duration of treatment as recommended by the psychiatrist or psychologist.
2. For the publication statement in the newsletter as outlined on page 5, the new statement shall read, "Based solely upon a Consent Order from the State of Washington related to a suicide attempt in 1990."

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 15th day of July, 1993, by vote of 9 - yes, 1 - abstention

Diana VanderWoude, RN MS
Diana Vander Woude, Executive Secretary