

SOUTH DAKOTA BOARD OF NURSING

RECEIVED

MAR 09 2011

SD BOARD OF NURSING

0-0

IN THE MATTER OF THE LICENSURE :
PROCEEDINGS :

RE: CRISTEN WESTLING, LPN :

**VOLUNTARY SURRENDER
CONSENT ORDER**

License No. P010578, :

Licensee. :

0-0

WHEREAS, Cristen Westling, LPN (“Licensee”), is licensed to practice as a practical nurse in the State of South Dakota and holds License number P010578; and

WHEREAS, following graduation from LPN school in July, 2009, said Licensee made application for licensure with the South Dakota Board of Nursing (“Board”) on March 15, 2010. Due to disclosures on her application, Licensee was required to appear before the Board. Licensee appeared before the Board on April 21, 2010. The Board moved to grant the Licensee an LPN license upon successful completion of the NCLEX-PN exam. The Board also mandated Licensee to participate in the Health Professionals Assistance Program for a period of five (5) years. Licensee entered into the HPAP program on June 10, 2010 and, according to quarterly reports, was in good compliance. Licensee has requested to be discharged from the Health Professionals Assistance Program, as she wants to pursue a different career path; and

WHEREAS, Licensee has agreed that she would surrender her South Dakota nursing license; and

WHEREAS, the South Dakota Board of Nursing (“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 agrees that she enters into this Voluntary Surrender Consent Order voluntarily and without duress or compulsion, in full understanding of the legal consequences of this document and her rights; 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 Voluntary Surrender Consent Order.
2. That following graduation from LPN school in July, 2009, said Licensee made application for licensure with the South Dakota Board of Nursing (“Board”) on March 15, 2010. Due to disclosures on her application, Licensee was required to appear before the Board. Licensee appeared before the Board on April 21, 2010. The Board moved to grant the Licensee an LPN license upon successful completion of the NCLEX-PN exam. The Board also mandated Licensee to participate in the Health Professionals Assistance Program (“HPAP”) for a period of five (5) years. Licensee entered into the HPAP program on June 10, 2010 and, according to quarterly reports, was in good compliance. Licensee has requested to be discharged from the Health Professionals

Assistance Program, as she wants to pursue a different career path, and now intends to leave the profession of nursing as a practical nurse.

3. That the Licensee has been given an opportunity to discuss this Voluntary Surrender Consent Order with an attorney of Licensee's choice, and is aware of her right to a hearing in this matter, and of her 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 also agrees that the Board's Executive Director or her designee may present this Voluntary Surrender Consent Order to the Board and disclose to the Board all items of her investigation, including, but not limited to, any communications with Licensee.

4. That the Licensee's license to practice nursing in South Dakota and her privilege to practice nursing pursuant to the Nurse Licensure Compact shall be surrendered and the Board shall suspend said license for an indefinite period from the date of this Order. Licensee may apply to have her license reinstated for good cause shown.

5. That nothing in this Voluntary Surrender Consent Order should imply that the Licensee shall be reinstated. Licensee recognizes that the reinstatement terms, as well as the requirements for reinstatement, are at the sole discretion of the Board.

6. That if the Licensee requests reinstatement, Licensee has the burden of presenting information showing that Licensee's license should be reinstated.

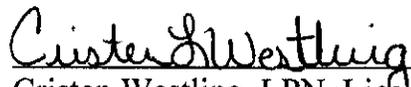
7. That it is further stipulated and agreed that this Voluntary Surrender Consent Order is being entered into voluntarily by the Licensee and without threats or coercion and is entered into after the Licensee has been given ample opportunity to consider these matters and to discuss this Voluntary Surrender Consent Order with an attorney of Licensee's choice and that the Licensee has a full understanding of the legal consequences of this Voluntary Surrender Consent Order and of the Licensee's rights to a formal hearing on these matters, which rights are hereby waived by the signing of this Voluntary Surrender Consent Order.

8. This action is reportable discipline and will be published in the Board's Newsletter and posted on its website and reported into the Healthcare Integrity and Protection Data Bank (HIPDB) and National Practitioner Data Bank (NPDB) as required by law.

9. That the Board may enter an Order consistent with the terms of this Stipulation.

NOW, THEREFORE, the foregoing Voluntary Surrender Consent Order 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 3rd day of March, 2011.


Cristen Westling, LPN, Licensee

The South Dakota Board of Nursing, meeting on the 1st day of April, 2011, approved the attached Voluntary Surrender Consent Order as written) and issued its Order as follows:

IT IS HEREBY ORDERED that the above Voluntary Surrender Consent Order is adopted as shown herein by the South Dakota Board of Nursing this 1st day of April, 2011, by vote of 8-0.

SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, Executive Director