

license and the Board did not believe there was good cause shown in regard to the allegations surrounding the initial surrender to grant the license; and

WHEREAS, the Board, on or about February 24, 2016, ordered that Licensee undergo an evaluation with the Health Professionals Assistance Program (“HPAP”). The Board agreed that upon receipt of the HPAP evaluation, the Board would again reconsider Licensee’s request for reinstatement; and

WHEREAS, on or about July 21, 2016, the Licensee renewed his request for reinstatement of his license based upon the HPAP evaluation; and

WHEREAS, on or about September 8, 2016, the matter of Licensee’s reinstatement was again presented to the Board. The Licensee submitted an evaluation from HPAP dated July 28, 2016, evidencing his participation. HPAP, based upon the criteria, supported Licensee’s request for reinstatement of his RN license with continued mandated HPAP; and

WHEREAS, the Board has considered the Licensee’s request, the documents submitted, and being fully advised in the premises;

NOW THEREFORE IT IS HEREBY ORDERED:

1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Order.
2. That the Licensee’s license to practice as a registered nurse in the State of South Dakota is hereby reinstated.
3. The Board hereby mandates Licensee’s continued participation in HPAP.

4. All terms and conditions as well as clearance to return to employment and any restrictions on access to narcotics shall be set by HPAP, and the Licensee shall fully comply with all of those terms and conditions.

5. Additionally, Licensee shall comply with the following conditions during the term of this order:

CONDITIONS

1. Licensee shall at any time during the term of this order report in person to such meetings of the Board or to its designated representative as directed and otherwise fully cooperate with the Board or its representatives in terms of this order.

2. The Licensee shall notify the Board, as well as 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 conditions of HPAP.

4. That upon completion of the application for Request for Reinstatement, Licensee shall be issued his RN license by the Board office.

5. During the term of this order, the Licensee is to immediately inform the Board of the outcome of any criminal charges presently or hereafter pending against the Licensee, and whether the Licensee has been convicted, pled no contest, *nolo contendere*, pled guilty to or been granted a deferred judgment or adjudication, suspended imposition of sentence with respect to a felony, misdemeanor or petty offense, other than minor traffic violations, that have not previously been reported to the Board.

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

7. Licensee shall not violate any law or regulation regarding the practice of nursing.

8. The 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.

9. This order also affects Licensee's practice privilege to practice in South Dakota should Licensee change his home state under the Nurse Licensure Compact and Licensee's practice privilege is subject to the same requirements set forth in this order as his South Dakota license.

IT IS HEREBY ORDERED that the above Order of Reinstatement with Mandated HPAP was adopted by the South Dakota Board of Nursing on the 8th day of September, 2016, by a vote of 7-0.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, RN, MS
Executive Director