The South Dakota Board of Nursing’s ("Board") hearing on the summary suspension of Jessica Cameron, RN, license number R044614 ("Licensee") came before the Board at its office in Sioux Falls, South Dakota, on February 9, 2018, at 9:45 a.m.

Licensee, having been served with the Order for Summary Suspension and Notice of Hearing and Affidavit of Francie Miller by process server on December 12, 2017, appeared in person to present evidence on her behalf and to confront witnesses. The Board appeared by and through its attorney, Kristine K. O’Connell. Administrative Law Judge Catherine Duenwald presided over the proceeding. The proceeding was transcribed by a court reporter.

The Board considered the evidentiary testimony of Amanda McKnelly, MS, LAC, Program Director at the South Dakota Health Professionals Assistance Program, and the testimony of the Licensee. The Board also considered the Board’s Exhibit numbered 1 that was also entered into evidence. The Board also considered the affidavit and other public documents on file in this case and being charged with the 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, the Board hereby makes the following:
FINDINGS OF FACT

1. That the Licensee is licensed to practice as a registered nurse in the State of South Dakota and holds license number R044614.

2. That on or about July 20, 2014, Licensee, while a nursing student first contacted the South Dakota Health Professionals Assistance Program ("HPAP") through a FaceIt Recovery Coach.

3. The contact with HPAP followed a third DUI arrest for driving under the influence with four month old twin children in her vehicle.

4. For the offense, Licensee was granted a suspended imposition of sentence with two years of probation and a year of SCRAM monitoring.

5. In May of 2014, Licensee graduated from nursing school.


7. In September 2014, Licensee passed Boards and was hired as an RN at a tertiary hospital.


9. On May 20, 2015, Licensee tested positive for alcohol on an HPAP random drug screen and was placed back on the SCRAM monitor.

10. Licensee later received a second opinion at an Addiction Recovery Center and received a diagnosis of alcohol disorder. She underwent a psychological evaluation and it was recommended she continue IOP.
11. She was admitted to New Start on July 16, 2015.

12. On August 3, 2015, Licensee had her second relapse with alcohol, again driving with children in her vehicle. She was terminated from her employment and was jailed. Licensee signed a Voluntary Refrain from Practice with HPAP during her 180 days of incarceration. Additional charges of abuse and neglect were also brought.

13. Licensee continued to be monitored and in March of 2016, she was released from SCRAM monitoring and continued to do testing through the Arch Halfway House and completed after care and CBISA. She started Sober Link and Dialectical Behavioral Therapy (DBT).


15. Licensee moved into a place of her own.

16. In October 2017, Licensee was again missing Sober Link monitoring requirements for which HPAP was concerned. It was determined that Licensee would need to undergo blood testing. Licensee did check in, but did not test.

17. Licensee did not submit another Sober Link blow after October 25, 2017.

18. Between October 28 and November 17, 2017, HPAP attempted to call Licensee several times and left messages for her to return calls. E-mails were also sent to Licensee and she did not return HPAP’s calls.

19. HPAP called Licensee’s employer to let them know and asked that they not let Licensee return to work until HPAP supported the return to practice.
20. Licensee was removed from the schedule and she did not communicate with HPAP. The employer also indicated they had not heard from her.

21. Licensee received positive and good reports from her worksite monitor while employed.

22. On December 18, 2017, Licensee was a no-show for her appointment with HPAP.

23. Due to Licensee’s lack of compliance and lack of contact with HPAP as required under SDCL § 36-2A-11, HPAP reported Licensee to the Board at which time Licensee’s license was suspended.

24. On February 4, 2018, Licensee was scheduled to have a meeting with HPAP and failed to attend the scheduled meeting.

25. Licensee testified that she has a sponsor and is seeing a psychiatrist.

From the foregoing findings of fact, the Board draws the following:

**CONCLUSIONS OF LAW**

1. That the Board has jurisdiction and authority over this matter pursuant to SDCL §§ 36-9-1.1 and 36-9-49.

2. That the Licensee’s conduct as identified in the findings of fact is in violation of SDCL §§ 36-9-49 (4), (5), (7) and (10).

3. Licensee needs to continue HPAP.

4. Licensee needs to attend approved programs with approved providers as she has not been able to maintain her accountability with HPAP. She has a supportive sponsor, but needs more to maintain her sobriety.
THEREFORE, let an order be entered accordingly.

ORDER

Based on the Findings of Fact and Conclusions of Law, the South Dakota Board of Nursing hereby orders:

1. That the Licensee’s license to practice nursing in the State of South Dakota is hereby indefinitely suspended.

2. That the Licensee is hereby notified that any practice of or holding herself out as a registered nurse during the term of this suspension is in violation of SDCL § 36-9-68.

4. That Licensee may petition for reinstatement of her license at any time for “good cause” pursuant to SDCL § 36-9-57.

Dated this __ day of March, 2018.

SOUTH DAKOTA BOARD OF NURSING

Gloria Damgaard, RN, MS
Executive Director
The South Dakota Board of Nursing, at the hearing on the 9th day of February, 2018, approved this Order of Suspension as written by a vote of 8-0, and issues its Order of Suspension consistent herein.

IT IS HEREBY ORDERED that the above Order of Suspension is adopted as an Order of the South Dakota Board of Nursing on this 9th day of March, 2018.

SOUTH DAKOTA BOARD OF NURSING

Gloria Damgaard, RN, MS
Executive Director