SOUTH DAKOTA BOARD OF NURSING

IN THE MATTER OF THE LICENSURE PROCEEDINGS

RE: MEGAN CHAPMAN, RN

License No. R037649.

AGREED UPON DISPOSITION
FOR LETTER OF REPRIMAND,
MANDATED PARTICIPATION
IN HPAP, AND PSYCHOLOGICAL
EVALUATION

WHEREAS, Megan Chapman, RN ("Licensee"), is licensed to practice as a registered nurse in the State of South Dakota and holds License number R037649; and

WHEREAS, the South Dakota Board of Nursing ("Board") met in Sioux Falls, South Dakota, for its regular meeting on February 8, 2018. At the meeting the Board was advised that while the Licensee was working as a nurse at a long term care facility, it was noted that a card containing 30 tablets of oxycodone for a resident was missing. The evidence showed that the facility received five cards of oxycodone and only three cards of oxycodone were in the medication cart at the time. Licensee was in charge of the facility and the medications received during her shift. Appropriate Department of Health reports were made and other investigation was undertaken. Licensee maintains her denial of any diversion or involvement with any missing medications; and

WHEREAS, based on the information provided, the Board has determined that Licensee’s conduct is in violation SDCL § 36-9-49 (10); and

WHEREAS, the Board has a statutory obligation to protect the public health, safety and welfare set forth in SDCL §36-9-1.1, including the protection of the public from unsafe nursing practices and practitioners; and
WHEREAS, it is the intent of this agreement to provide for a resolution of the licensing issues presented by the Licensee’s conduct, in a professional manner, without the necessity of further proceedings herein, to provide an alternative to formal discipline, and for a responsible resolution; and

WHEREAS, the Licensee agrees to the issuance of this Letter of Reprimand; and

WHEREAS, the Licensee also hereby agrees to be mandated into the Health Professionals Assistance Program (“HPAP”) with terms and conditions to be determined by HPAP; and

WHEREAS, per the Nurse Licensure Compact Regulations, the Licensee understands that one mandated into such a program as HPAP will be granted a single-state license only; and

WHEREAS, the Licensee understands that participation in HPAP is mandatory in order to maintain an active, unencumbered, single-state license in South Dakota. To meet the terms of this agreement, the Licensee must be enrolled and demonstrating active participation within ten (10) business days of signing this stipulation; and

WHEREAS, Licensee agrees and understands that any failure to comply with any aspect of the HPAP program and its contract will be reported to the Board for disciplinary action as deemed appropriate by the Board; and

WHEREAS, in addition, after review, and by unanimous vote, the Board has ordered and Licensee agrees to undergo a psychological evaluation, with the report of this evaluation to be sent to the Board. The Board requests that this evaluation be completed by Dewey Ertz, Ed. D. (605-341-8647). The Board will cover the cost of this evaluation.
Agreed Upon Disposition for Letter of Reprimand, Mandated Participation in HPAP, and Psychological Evaluation

Megan Chapman, RN

The Board requests that Licensee contact the physician listed above and advise Francie Miller, Nursing Program Specialist at the Board, of the appointment date and time. The evaluation should be completed within sixty (60) days with the report to be sent to the Board; and

WHEREAS, the Licensee understands that she has a right to a contested case hearing pursuant to SDCL Ch. 1-26 regarding this matter and that such rights under SDCL Ch. 1-26 include, but are not limited to, the right to be present at the contested case hearing, the right to be represented by legal counsel, to introduce evidence and testimony on her behalf, to call witnesses, to cross examine witnesses, and to inspect all documentary evidence submitted to the Board and to appeal the Board’s decision to the circuit court and state Supreme Court as provided by law; and

WHEREAS, by entering into this agreed-upon disposition with the Board, the Licensee hereby knowingly and voluntarily waives the above rights.

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 Order.

2. The Board asserts and the Licensee admits to the facts stated herein

3. The Licensee recognizes that this matter is of a nature that would constitute grounds for discipline of her license to practice as a registered nurse in the State of South Dakota under SDCL § 36-9-49 (10).
4. The Licensee has been given the opportunity to discuss this agreed-upon disposition with an attorney of Licensee’s choice and is aware of her rights as outlined above. Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or other rights. Licensee is entering into this agreed-upon disposition voluntarily and without duress or compulsion.

5. If the Licensee violates any provision of her HPAP participation agreement, the Licensee understands that the Board will be notified and the Licensee will be subject to discipline and reporting as determined by the Board applicable.

6. This is final action and is reportable discipline which will be published in the Board’s newsletter, posted on its website, and reported into the National Practitioner Data Bank (NPDB) as required by law. As this is a reportable discipline, Licensee is required to provide an affirmative response to inquiries of disciplinary action on further renewals and other nursing related inquiries.

NOW, THEREFORE, the foregoing Agreed Upon Disposition for Letter of Reprimand, Mandated Participation in HPAP, and Psychological Evaluation 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 22 day of March, 2018.

Megan Chapman, RN
The South Dakota Board of Nursing met on the 8th day of February, 2018, and moved to issue this Letter of Reprimand with Mandated HPAP and Psychological Evaluation by a vote of 8-0 and now issues its Order as follows:

IT IS HEREBY ORDERED that the above Agreed Upon Disposition for Letter of Reprimand, Mandated Participation in HPAP and Psychological Evaluation is adopted as shown herein by the South Dakota Board of Nursing this 26th day of March, 2018.

SOUTH DAKOTA BOARD OF NURSING

Gloria Damgaard, RN, MS
Executive Director