



# SOUTH DAKOTA BOARD OF NURSING

4305 S Louise Avenue Suite 201  
Sioux Falls, South Dakota 57106

**April 19-20 9:00 AM CST**

Board Members	Board Staff Present
Darlene Bergeleen, RN Present	Gloria Damgaard, RN Executive Director
Carla Borchardt, RN Present	Abbey Bruner Senior Secretary
Rebekah Craddock, Public Member Present	Erin Matthies Operations Manager
Doneen Hollingsworth, Public Member Present	Francie Miller, RN Nursing Program Specialist
Deborah Letcher, RN, Secretary Absent	Tessa Stob, RN Nursing Program Specialist
Nancy Nelson, RN, President Present	Jill Vanderbush Program Assistant I
Sharon Neuharth, LPN Present	Linda Young, RN Nursing Program Specialist
Robin PetersonLund, RN, APRN Present	
Kristin Possehl, RN Present	<b>Others Present</b>
Mary Schmidt, LPN, Vice President Present	Ryan Darling Administrative Law Judge
Lois Tschetter, RN Present	Shelly Munson Board Attorney
	Kristine O'Connell Board Attorney
	Terri Schildhauer Registered Professional Reporter

Guests: April 19, 2018	Guests: April 20, 2018
Carissa Holt, Northwestern College	
Megan Adams, Northwestern College	
Katie Elliott, Northwestern College	
Jessica Howe, Northwestern College	
Hannah Johnson, Northwestern College	
Christi McArthur, Western Dakota Technical Institute	
Ann Bolman, Western Dakota Technical Institute	
Tiffany Howe, Western Dakota Technical Institute	
Dr. Sandra Bunkers	

**1. Call to Order and Roll Call** - President N Nelson called the meeting to order at 9:00 a.m. on April 19, 2018.

**2. Board of Nursing Minutes**

Board Action: C Borchardt moved to approve the February 8-9, 2018 Board Meeting minutes, seconded by R PetersonLund. The minutes were approved in a unanimous voice vote.

**3. Agenda Approval**

Board Action: R PetersonLund moved to approve the agenda, seconded by S Neuharth. The agenda was approved in a unanimous voice vote.

**4. Financial Reports** – E Matthies presented the Financial Report for Fiscal Year 2018 (July-March). Advanced Practice Registered Nurse (APRN) applications have almost doubled since last year at this time. E Matthies answered Board questions.

Board Action: L Tschetter moved to approve the Financial Report for Fiscal Year 2018 (July-March). Seconded by K Possehl. The Financial Report for Fiscal Year 2018 (July-March) was approved in a unanimous voice vote.

**5. Reports**

**A) Licensure and Operations Report** - E Matthies presented the April 2018 South Dakota Board of Nursing's (SDBON) licensure and operations report.

- As of April 2018 there were 18,346 Registered Nurses (RN), 2,613 Licensed Practical Nurses (LPN), 35 Certified Nurse Midwives (CNM), 987 Certified Nurse Practitioners (CNP), 68 Certified Nurse Specialists (CNS) and 481 Certified Registered Nurse Anesthetists (CRNA) actively licensed in South Dakota.
- The Enhanced Nurse Licensure Compact (eNLC) was successfully implemented without financial impact to the SDBON. The number of APRNs issued licenses in SD continues to grow.
- Unlicensed medication Aides (UMA) and unlicensed diabetes aides (UDA) online applications are in development.
- The Board's conference room is under construction and will be equipped to offer the Digital Dakota Network (DDN) which is a statewide interactive video communication system that uses compressed digital technology to offer meeting services connecting participants across SD or globally. The addition of DDN is in response to direction from Governor Dauggaard to offer live audio streaming of all SD Board meetings.

**B) Center for Nursing Workforce (CNW) –** L Young reported that the addition of DDN will be value added for the CNW as it will allow the CNW to connect individuals for meetings or planning CNW activities. Funds from the CNW will be used to support the cost of installing DDN. L Young provided the HRSA report, *Long-Term Services and Supports (LTSS): Nursing Workforce Demand Projections 2015-2030*, as an informational item; this report provides demand projections for RN’s & LPN’s in the LTSS practice settings.

**C) External Meeting Reports:**

- National Council of State Boards of Nursing (NCSBN) Midyear Meeting, Chicago, March 5 – 7, 2018: Attended by N Nelson, G Damgaard, L Young and E Matthies. G Damgaard and N Nelson reported that all of the presenters were excellent; they shared the following overview of presenters’ main points: NCSBN is celebrating their 40<sup>th</sup> anniversary and will be offering a booklet for new graduates; occupational licensing has increased over the years, research shows that it reduces barriers and that licensure of an occupation increases the number of people in that occupation; the skillset healthcare workers will need in the future in the US and around the world requires maximizing the work performed by each professional. Workers will need: 1) to develop skills to work in technically complex environments; 2) team support; and 3) measures to reduce stress and increase resilience. The presenter on substance use and how state’s with legalized Marijuana are handling discipline cases; helpful suggestion were provided on considerations for monitoring nurses. An NCSBN committee is working recommendations and will be providing recommendations .
- NCSBN APRN Roundtable, Chicago, April 10, 2018: Attended by G Damgaard and L Young. They shared an overview of the presenters main points: diagnostic error by medical providers occurs almost 15% of the time; analysis of the problems were shared and suggestions for improvement that encouraged nurses engaging with physician/APRNs on diagnosis to prevent wrong diagnosis.

**D) eNLC Update –** G Damgaard presented the eNLC update to the Board. Kansas is the 30<sup>th</sup> state to join; they plan to implement the compact in 2019. Eight other states have pending legislation.

**E) NCSBN Contribution to Foundation of the National Student Nurses’ Association (FNSNA) -** G Damgaard presented information on the special donation of \$140,000 to the FNSNA in honor of NCSBN’s 40<sup>th</sup> anniversary this year.

**6. Open Forum –** N Nelson, President, provided the opportunity for guests to address the Board, no one requested to do so.

**7. Environmental Scan -** Documents provided for informational purposes.

**8. Unfinished Business**

**A) Western Dakota Technical Institute (WDTI): Status Change to Accredited –** G Damgaard informed the Board of WDTI’s Higher Learning Commission (HLC) status change from “Accredited – On Probation” to “Accredited”, effective: February 22, 2018.

**9. New Business**

**A) WDTI: Request Full Status Approval of the Licensed Practical Nurse (PN) Program –** C McArthur, A Bolman and T Howe from WDTI presented a request to be moved from probationary status to full status. They provided evidence of meeting HLC accreditation standards and NCLEX passing standards.

Board Action: L Tschetter moved that the South Dakota Board of Nursing remove the probationary status of WDT and grant full approval status of the PN Program. Seconded by M Schmidt.

<b>Bergeleen</b>	<b>YES</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>YES</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Craddock</b>	<b>YES</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>YES</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>10 YES</b>	<b>MOTION Carried</b>

**B) Certified Nurse Midwife Out-of-Hospital (OOH) Birth Report –** L Young presented the report. From 2008 through 2017, 426 women requested CNM services for an OOH birth. Of these women, 354 (83.3%) delivered in an OOH birth setting; 46 (10.8%) were referred to another provider for a hospital birth based on the OOH birth criteria listed in the CNM’s OOH practice guidelines; and 25 (5.9%) were transported during labor to a hospital. In 2017 a total of 53 women requested an OOH birth, 46 delivered OOH; one woman was referred to another provider for a hospital birth; and 6 were transported during labor to a hospital.

**C) Ongoing Approval of Nursing Education Programs** – G Damgaard presented the 2017 annual reports of nursing education programs and the request for ongoing approval of the 17 in-state LPN and RN nursing education as provided in the report.

**Board Action:** C Borchardt moved that the Board of Nursing accept the 2017 annual reports of nursing education programs and grant ongoing program approval. Seconded by K Possehl.

<b>Bergeleen</b>	<b>YES</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>YES</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Craddock</b>	<b>YES</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>YES</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>10 YES</b>	<b>MOTION Carried</b>

**D) Annual Report of Nursing Education Programs** – L Young presented the annual nursing education program statistical report. Data for the report was collected from SDBON approved schools to fulfill a requirement for ongoing approval of their programs in accordance with ARSD 20:48:07:47. Aggregate data was collected for the academic time period of October 1, 2016 to September 30, 2017 on students, education program capacity, curriculum, graduates, National Council Licensure Examination (NCLEX®) results, and faculty. The report will be posted on the Board’s website.

**E) Avera McKennan SOP Request on Medication Administration** – L Young and C Borchardt presented the request. Additional information will be collected for discussion and action at the June 2018 meeting.

**F) Promulgation of Administrative Rules in 20:48 and 20:62** – G Damgaard and L Young presented drafts of proposed Administrative rules. A timeline for the adoption of the rules was provided; the anticipated date for the public hearing on the proposed rules is June 28, 2018 and by the Interim Rules Review Committee on July 9, 2018.

**Board Action:** L Tschetter moved that the South Dakota Board of Nursing grant approval to proceed with amendment to Chapter 20:48:01 and 20:48:07. Seconded by M Schmidt.

<b>Bergeleen</b>	<b>YES</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>YES</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Craddock</b>	<b>YES</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>YES</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>10 YES</b>	<b>MOTION Carried</b>

**Board Action:** D Hollingsworth moved that the South Dakota Board of Nursing approve the proposed renewal license fee from \$70 to \$95 every 2 years as per 20:48:06. Seconded by S Neuharth.

<b>Bergeleen</b>	<b>YES</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>YES</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Craddock</b>	<b>YES</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>YES</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>10 YES</b>	<b>MOTION Carried</b>

**Board Action:** D Bergeleen moved that the South Dakota Board of Nursing repeal Chapter 20:48:15. Seconded by L Tschetter.

<b>Bergeleen</b>	<b>YES</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>YES</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Craddock</b>	<b>YES</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>YES</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>10 YES</b>	<b>MOTION Carried</b>

**Board Action:** K Possehl moved that the South Dakota Board of Nursing grant approval to proceed with amendments to article 20:62.

<b>Bergeleen</b>	<b>YES</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>YES</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Craddock</b>	<b>YES</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>YES</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>10 YES</b>	<b>MOTION Carried</b>

**G) Petition for Waiver for Unlicensed Medication Aide (UMA) – T Stob** presented background and the petition for waiver for Lisa Honadel UMA M006248.

Board Action: C Borchardt moved that the South Dakota Board of Nursing allow Lisa Honadel M006248 to remain on the UMA registry.

<b>Bergeleen</b>	<b>YES</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>YES</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Craddock</b>	<b>YES</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>YES</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>10 YES</b>	<b>MOTION Carried</b>

## 10. Discipline

**Hearings:** Call to Order – Administrative Law Judge (ALJ) R Darling called the meeting to order at 9:00 a.m. on April 20, 2018. The following cases were heard:

**1. Marsha Schmidt, SD R031331, Formal Hearing-**with ALJ R Darling presiding. Licensee served with notice. Licensee did not appear. K O’Connell represented the Board. F Miller provided testimony.

**Board Action** – K Possehl moved that the South Dakota Board of Nursing uphold the denial of reinstatement of a lapsed license for Marsha Schmidt, R031331. Seconded M Schmidt.

<b>Bergeleen</b>	<b>RECUSED</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>RECUSED</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Craddock</b>	<b>ABSENT</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>YES</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>7 YES</b>	<b>MOTION Carried</b>

**2. Blake Swee, SD R045625, Formal Hearing-**with ALJ R Darling presiding. Licensee served with notice. Licensee did not appear. K O’Connell represented the Board. F Miller provided testimony.

**Board Action** – M Schmidt moved that the South Dakota Board of Nursing suspend the license of Blake Swee, R045625. Seconded by L Tschetter.

<b>Bergeleen</b>	<b>RECUSED</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>RECUSED</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Craddock</b>	<b>ABSENT</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>YES</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>7 Yes</b>	<b>MOTION Carried</b>

**3. Margie Braudrick, ND L6425, Formal Hearing-**with ALJ R Darling. Licensee served with notice. Licensee did appear. K O’Connell represented the Board. F Miller provided testimony.

**Board Action** – M Schmidt moved that the South Dakota Board of Nursing Suspend the privilege to practice of Margie Braudrick, ND L6425. Seconded by K Possehl.

<b>Bergeleen</b>	<b>RECUSED</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>RECUSED</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Craddock</b>	<b>ABSENT</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>YES</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>7 Yes</b>	<b>MOTION Carried</b>

**4. Brianna Songer, SD M002707, Formal Hearing-**with ALJ R Darling presiding. Registrant served with notice. Registrant did not appear. K O’Connell represented the Board. T Stob provided testimony.

**Board Action** –S Neuharth moved that the South Dakota Board of Nursing revoke the registration of Brianna Songer, SD M002707. Seconded by L Tschetter.

<b>Bergeleen</b>	<b>RECUSED</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>RECUSED</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Craddock</b>	<b>ABSENT</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>YES</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>7 Yes</b>	<b>MOTION Carried</b>

Formal Hearings adjourned at 10:35AM Friday, April 20, 2018

**A) Discipline Review Panel Recommendations** – F Miller submitted the recommendations from the disciplinary review panel as identified in the following table. (The acronym “HPAP”: as used below represents “Health Professionals Assistance Program”).

Disciplinary Review Panel Recommendations April 2018		
Last Initial	First Initial	Recommended Action
A	J	Deny request for licensure reinstatement
B	J	Ask for voluntary surrender if refused summarily suspend and notice for hearing
B	H	Probation w/ mandated HPAP
B	F	Probation w/ mandated HPAP
Cal	K	Mandate HPAP w/ Single State
Cil	K	Letter of Reprimand with remediation: NCSBN: 1.) Righting a Wrong: Ethics and Professionalism in Nursing; 2.) Professional Accountability and Legal Liability for Nurses.
C	S	Letter of Reprimand with remediation. NCSBN: 1.) Righting a Wrong: Ethics and Professionalism in Nursing; 2.) Professional Accountability and Legal Liability for Nurses.
D	P	Request voluntary surrender if refuses summarily suspend and notice for hearing
F	F	May license when all requirements completed with mandate to SD HPAP.
F	S	Notice for Hearing.
F	C	Accept voluntary surrender
Mar	R	Mandate to HPAP if she doesn't request voluntary surrender if refuses summarily suspend and notice for hearing
McG	K	Dismiss
Mer	R	Request voluntary surrender if refuses summarily suspend and notice for hearing
Mos	K	Letter of concern w/ remediation NCSBN: 1.) Righting a Wrong: Ethics and Professionalism in Nursing; 2.) Professional Accountability and Legal Liability for Nurses.
R	D	Summary Suspension, request voluntary surrender if refuses summarily suspend and notice for hearing
S	C	Letter of Concern
W	J	Letter of Reprimand w/ remediation NCSBN: 1.) Righting a Wrong: Ethics and Professionalism in Nursing; 2.) Professional Accountability and Legal Liability for Nurses

**Board Action:** L Tschetter moved that the South Dakota Board of Nursing approve settlement offers and disposition of cases as presented and outlined in the Disciplinary Review Panel Recommendations document. Seconded by S Neuharth.

<b>Bergeleen</b>	<b>ABSTAIN</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>ABSTAIN</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Cradduck</b>	<b>YES</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>ABSENT</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>7 YES</b>	<b>MOTION Carried</b>

**B) Additional Discipline Cases for Review** – No additional cases for review.

**C) Review of Disciplinary Process for Unlicensed Assistive Personnel (UAP)** – T Stob presented the Board with an overview of the disciplinary process for UAP.

**11. Board Member Development** – S Bunkers presented the Board with informational articles and led the Board in a discussion on Humanbecoming theory as it relates to the Board’s regulatory work.

**12. Upcoming Events**

- April 25, 2018 NCSBN Finance Committee Meeting; Chicago, IL
- May 12, 2018 NCSBN IT/Operations Conference; Albuquerque, NM
- June 1, 2018 International Consortium of Parse Scholars; Pittsburgh, PA

**Board Action:** L Tschetter moved that the South Dakota Board of Nursing approve the following travel requests. Seconded by K Possehl.

- May 12, 2018 – Albuquerque, NM – NCSBN IT/Operations Conference (1)
- June 1-3, 2018 - Pittsburgh, PA – International Consortium of Parse Scholars Annual Conf. (3)
- June 6-8, 2018 – Denver, CO – NCSBN Discipline Case Management Conference (1)
- June 6-8, 2018 - Chicago, IL - National Forum of State Nursing Workforce Conference (1)
- June 19-20, 2018 – Kohler, Wisconsin – NCSBN Executive Officer Leadership Summit (1)

<b>Bergeleen</b>	<b>YES</b>	<b>Neuharth</b>	<b>YES</b>
<b>Borchardt</b>	<b>YES</b>	<b>PetersonLund</b>	<b>YES</b>
<b>Cradduck</b>	<b>YES</b>	<b>Possehl</b>	<b>YES</b>
<b>Hollingsworth</b>	<b>ABSENT</b>	<b>Schmidt</b>	<b>YES</b>
<b>Letcher</b>	<b>ABSENT</b>	<b>Tschetter</b>	<b>YES</b>
<b>Nelson</b>	<b>YES</b>	<b>9 YES</b>	<b>MOTION Carried</b>

**13. Staff and Board Member Activities**

- L. Young – MMC DNAP Anesthesia Student Presentation – Sioux Falls, February 23
- G. Damgaard and E. Matthies - eNLC Commission Administrators; Chicago, IL March 4
- G. Damgaard, L. Young, E. Matthies and N. Nelson - NCSBN Mid-Year Meeting; Chicago, IL March 5-7
- F. Miller, T. Stob, A. Vis – South Dakota Department of Health Staff Meeting Presenters; Pierre, SD March 22, 2018

G. Damgaard and L. Young - NCSBN APRN Roundtable; Rosemont, IL April 10  
L. Young – MMC NP Student Presentation – Yankton, April 12

Meeting adjourned at 4:34 pm April 20, 2018.