

FINDINGS OF FACT

1. That Dana Aman is licensed to practice as a registered nurse in the State of South Dakota and holds license number R-028201.
2. That on November 18, 2004, the South Dakota Board of Nursing approved a Stipulation and Order for Probation with Licensee; said Stipulation and Order for Probation is incorporated as if fully set forth herein.
3. That since entering into the Stipulation for Probation, Licensee has not been working as a nurse and has not been able to carry out the terms and conditions of his probation or his agreement with the Health Professionals Assistance Program (“HPAP”).
4. That Licensee advised that he would enter into a Voluntary Surrender Consent Order with the Board of Nursing and surrendering his South Dakota license.
5. That the Board staff has not been able to contact Licensee at his last known address and Licensee has not signed the Voluntary Consent Order.

From the foregoing Findings of Fact the Board draws the following:

CONCLUSIONS OF LAW

1. That the South Dakota Board of Nursing has jurisdiction and authority over this matter pursuant to SDCL §§ 36-9-1.1 and 36-9-49.
2. That Licensee’s conduct as identified in the Findings of Fact are in violation of SDCL § 36-9-49(4)(7) and (10).

3. That ARSD 20:48:04:01(1)(d) provides that the Board recognizes the “Standards of Clinical Nursing Practice,” 1991, and the “Code for Nurses With Interpretive Statement,” 1985, as published by the American Nurse’s Association as criteria for assuring safe and effective practice following licensure. The code of ethics requires an RN to function within an established legal guideline and uphold the basic standards of nursing practice.

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 Licensee’s license to practice nursing in the State of South Dakota is hereby suspended.
2. That Licensee may petition according to SDCL § 36-9-57 for reinstatement of his license at any time for “good cause.”
3. That Licensee shall turn his license in to the Board of Nursing within ten (10) days from the date of this Order.
4. That Licensee is hereby notified that any practice as or holding himself out as a registered nurse during this term of suspension is a violation of SDCL § 36-9-68.

Dated this 15th day of September, 2005.

Gloria Damgaard
Gloria Damgaard, Executive Secretary
South Dakota Board of Nursing

The above Findings of Fact and Conclusions of Law and Order were
adopted by the South Dakota Board of Nursing on the 15th day of
September, 2005, by a vote of 10-0.

Dated this 23rd day of September, 2005.

Gloria Damgaard
Gloria Damgaard, Executive Secretary
South Dakota Board of Nursing