SOUTH DAKOTA BOARD OF NURSING

IN THE MATTER OF THE LICENSURE PROCEEDINGS

RE: CHRISTINA FERGEN, R.N.

License No. R030829,

Licensee.

ORDER FOR CLOSURE OF PROBATION AND DISCHARGE FROM HPAP

WHEREAS, Christina Fergen, R.N. ("Licensee") is licensed to practice as a registered nurse in the State of South Dakota and hold license number R030829; and

WHEREAS, on September 16, 2004, the South Dakota Board of Nursing ("Board") and said Licensee entered into a Stipulation and Order for Probation for an indefinite period of time with supervision by the Health Professionals Assistance Program ("HPAP") due to diversion of narcotics from her then employer, Avera McKennan Hospital; and

WHEREAS, Licensee has been a participant in HPAP since August, 2004, and has been compliant with all of the terms and conditions of HPAP Participation Agreement; and

WHEREAS, Licensee was given a suspended imposition of sentence for the diversion of narcotics in 2004, and has successfully completed all the terms of her criminal probation as of August 5, 2008; and
WHEREAS, Licensee has made a written request for closure of her probation and discharge from HPAP, dated August 19, 2008, and personally appeared before the Board on November 13, 2008. Licensee presented documentation to the Board, including a report of her participation with HPAP, an Order of Dismissal and Discharge from her suspended imposition of sentence, a report from her counselor, and a letter from her Director of Nursing, Catherine Fillaus, R.N. Maria Eining, Program Director for HPAP, presented testimony and the report on behalf of the Licensee. Catherine Fillaus, Licensee’s Director of Nursing and worksite monitor, also provided testimony on Licensee’s behalf. Licensee answered questions of the Board; and

WHEREAS, the Board has considered the Licensee’s request, the documents submitted, Licensee’s own testimony, and the testimony offered by Maria Eining and Catherine Fillaus, 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 the order.

2. That the Licensee, having completed the terms and conditions of her probation, is now entitled to closure of that probation.
3. That Licensee, having been fully compliant with the terms of her HPAP, and has successfully completed her Participate Agreement with the program, may be discharged from HPAP at this time.

Dated this 21st day of November, 2008.

SOUTH DAKOTA BOARD OF NURSING

[Signature]
Gloria Damgaard, Executive Director

IT IS HEREBY ORDERED that the above Order for Closure of Probation and Discharge from HPAP is adopted by the South Dakota Board of Nursing this 13th day of November, 2008, by a vote of 9-0.

SOUTH DAKOTA BOARD OF NURSING

[Signature]
Gloria Damgaard, Executive Director

I certify that this is a true copy of a record on file in the Board of Nursing of this State of South Dakota.

Date 11/24/2008

[Signature, Authorized Representative]