

SOUTH DAKOTA BOARD OF NURSING

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SD BOARD OF NURSING

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IN THE MATTER OF THE LICENSURE :
PROCEEDINGS :

RE: DENISE R. HANISCH, LPN :

**STIPULATION AND ORDER
FOR PROBATION
WITH REMEDIATION**

License No. P010055, :

Licensee. :

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WHEREAS, Denise R. Hanisch, LPN ("Licensee"), holds a license to practice as a practical nurse in the State of South Dakota (License number P010055); and

WHEREAS, Licensee has admitted, while working for the Good Samaritan Home in Lennox, South Dakota on April 3, 2010, that she provided inadequate and substandard assessment of a resident who was having difficulty breathing. The Licensee also admitted to substandard documentation regarding the actions that she took in regards to this resident; and

WHEREAS, Licensee's conduct as stated would be inconsistent with the health or safety of persons entrusted to her care and violates the rules and statutes regulating the practice of nursing and is in violation of SDCL § 36-9-49(5), (7), and (10); and

WHEREAS, the Licensee recognizes that these matters, are of a nature which would constitute grounds for the discipline of her license to practice nursing in South Dakota under SDCL § 36-9-49; and

WHEREAS, the South Dakota Board of Nursing (hereinafter "the Board") has a 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; and

WHEREAS, the Board has recommended that Licensee's license be placed on a one year period of probation with remediation in an effort to resolve this matter without the necessary of additional formal disciplinary proceedings and hearings; and

WHEREAS, it is the intent of this Stipulation to provide for a settlement of the licensing issues presented by the Licensee's conduct, in a professional manner, without the necessity of further hearings and proceedings herein, and to provide for a responsible solution; 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 Stipulation.
2. Licensee has admitted, while working for the Good Samaritan Home in Lennox, South Dakota on April 3, 2010, that she provided inadequate and substandard assessment of a resident who was having difficulty breathing. The Licensee also admitted to substandard documentation regarding the actions that she took in regards to this resident; and the Licensee agrees that her conduct violates SDCL 36-9-49(5), (7) and (10), in that such conduct would be inconsistent with the health and safety of persons entrusted to her care and would violate provisions of the rules and statutes regulating the

practice of nursing.

3. The Licensee has been given an opportunity to discuss this Stipulation with an attorney of Licensee's choice, and is aware of Licensee's right to a hearing in this matter, and of all rights under the United States and South Dakota Constitutions, laws, rules and/or regulations. Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or any other rights under said Constitutions, laws, rules and/or regulations. Licensee is entering into this Stipulation voluntarily and without duress or compulsion.

4. That from the date this Stipulation is signed, Licensee's license to practice nursing is placed upon a probationary status for an period of one (1) year of active practice as a nurse or employment in nursing practice. The probationary terms and conditions set by the Board shall be completely followed by the Licensee. After twelve (12) months, one year, of successful practice under the terms of this Order, and the completion of the remediation associated hereto, and successful completion of the terms of this order Licensee's probation shall be closed. Licensee shall comply with the following during his probation:

CONDITIONS

1. Licensee shall at any time during the period of probation, report in person to such meetings of the Board or to its designated representatives as directed and otherwise fully cooperate with the Board or its representatives in the terms of this probation.

2. Licensee shall provide quarterly reports to the South Dakota Board of Nursing from her work site monitor, the Director of Nursing, and a self report.

3. Licensee shall enter and complete the LPN license portion of the SDSU refresher course modules within a period of six (6) months upon entering into this Stipulation. The Licensee shall provide the Board office evidence of successful completion of the course.

4. Licensee shall pay for all costs and expenses in carrying out any conditions of this probation.

5. Within ten (10) days of the effective date of this Order, the Licensee shall submit her current renewal certificate to the Board office to be stamped "PROBATION".

6. If Licensee violates any terms of this probation, the Licensee agrees that the Board may take such action against Licensee's license as the Board deems necessary, up to and including an immediate suspension, additional probationary terms, revocation, or other disciplinary action.

7. If Licensee obtains a license issued solely or under joint regulatory powers by the Board, other than the license to which this Stipulation refers, at any time during the period of the probation, the terms of this probation shall apply to the other or additional license(s) issued by the Board.

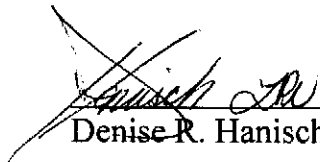
8. Licensee shall not violate any law or regulation regarding the practice of nursing.

9. Licensee shall not practice nursing in any state other than South Dakota which is a party state to the Nurse Licensure Compact without prior written authorization from both the Board and the nursing regulatory authority in the party state in which the Licensee desires to practice.

10. This probation also affects Licensee's practice privilege to practice in South Dakota should Licensee change his home state under the Nurse Licensure Compact and Licensee's practice privilege is subject to the same requirement set forth in this Order as her South Dakota license.

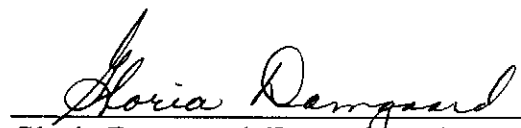
NOW, THEREFORE, the foregoing Stipulation is entered into and is respectfully submitted to the Board which has adopted its terms as an order in the above matter.

Dated this 7 day of October, 2010


Denise R. Hanisch, LPN - License P010055

The South Dakota Board of Nursing at its meeting on the 15th day of September, 2010, approved the terms and conditions of this probationary order by a vote of 10-0.

IT IS HEREBY ORDERED that the above Stipulation is adopted as an Order of the South Dakota Board of Nursing this 12th day of October, 2010.


Gloria Damgaard, Executive Director