

**SOUTH DAKOTA BOARD OF NURSING**

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IN THE MATTER OF THE LICENSURE :  
PROCEEDINGS :

**ORDER OF REINSTATEMENT  
WITH PROBATION**

RE: WENDY J. HOLTHE, RN, :

License No. R032035 :

Licensee. :

0-0

WHEREAS, Wendy J. Holthe, R.N., (“Licensee”), is licensed to practice as a registered nurse in the State of South Dakota and holds license number R032035; and

WHEREAS, on April 27, 2009 the South Dakota Board of Nursing (“Board”) accepted a Voluntary Surrender Consent Order that was signed by the Licensee, arising out of her diversion of Morphine, for her own use, from her employer, Avera McKennan Hospital; and

WHEREAS, the Voluntary Surrender Consent Order suspended the Licensee’s R.N. license for an indefinite period subject to a reinstatement request pursuant to SDCL § 36-9-57, as the Board in its discretion may determine; and

WHEREAS, the Licensee made a reinstatement request, in writing, received January 5, 2010, and personally appeared before the Board on February 26, 2010, at which time the matter of Licensee’s reinstatement was presented to the Board. The Licensee presented documentation and letters supporting her reinstatement. The Board

was also provided with an Evaluation Report from the Health Professionals Assistance Program (“HPAP”) dated January 21, 2010. Char Skovlund of HPAP provided testimony and answered questions in regards to the HPAP report and recommendations. Licensee also provided testimony and answered questions of the Board; and

WHEREAS, the Board has considered the Licensee’s request, the statement and documents provided by the Licensee, the previous Order, the HPAP report, as well as Licensee’s own testimony, 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 this Order.
2. That the Licensee’s license to practice as a registered nurse in the State of South Dakota is hereby reinstated and placed on probationary status for sixty (60) months of active practice as a registered nurse.
3. That the Board hereby mandates Licensee’s continued participation in the Health Professionals Assistance Program for a period of five years of active nursing practice with credit given for time already enrolled in HPAP.
4. All probationary monitoring and conditions in regards to this reinstatement, including access to narcotics, as well as clearance to return to employment, shall be set by the HPAP, and the Licensee shall fully comply with those terms and conditions.

5. After verification from the HPAP that the Licensee has completed all monitoring terms, the Licensee may petition the Board for closure of her probation. The Licensee is not entitled to early closure of probation. The duration of the terms of probation as set by the HPAP, shall not be less than the initial term of sixty (60) months, with credit for HPAP time already served, and it is recognized that the Board may require additional probationary time or additional terms upon completion of HPAP. Additionally, Licensee shall comply with the following conditions during her 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 representative as directed and otherwise fully cooperate with the Board or its representatives in terms of this probation.
2. The Licensee shall notify the Board, as well as the HPAP, in writing, within one (1) week of any change in nursing employment, personal address, and/or telephone number.
3. Licensee shall pay for all costs and expenses in carrying out conditions of probation.
4. That within ten (10) days of the effective date of this order, Licensee shall be issued her LPN license by the Board office and it is to be stamped "PROBATION".
5. If the Licensee violates and terms of this probation, the Licensee agrees that the Board may take such action against Licensee's license as the Board deems necessary,



GREAT FACES. GREAT PLACES.

# Motion for Action

South Dakota  
Board  
of Nursing

Meeting: February 26, 2010

Agenda Item: 9E A4

I MOVE that the SDBON reinstate the RN license of Wendy J. Holthe with <sup>probation and</sup> mandated HPAP for 5 years with credit for the time already enrolled in HPAP, with restrictions on access to narcotics.

Signature: Robin York

SECONDED BY	VOTE	YES	NO	ABSTAIN	RECUSE	ABSENT
	Diana Berkland					X
	Linda Bunkers	X				
	Christine Callaghan	X				
	Teresa Disburg	X				
	Dori Dufault					X
X	John Jones	X				
	June Larson	X				
	Adrian Mohr	X				
	Deb Soholt	X				
	Patricia Wagner	X				
	Robin York	X				
	<b>TOTAL</b>	<b>9</b>				<b>2</b>

MOTION CARRIED       MOTION DEFEATED       MOTION WITHDRAWN

up to and including an immediate suspension, additional probationary terms, revocation, or other disciplinary action.

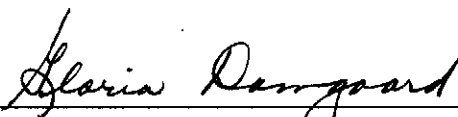
6. Licensee shall not violate any law or regulation regarding the practice of nursing.

7. The 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.

8. This probation also effects Licensee's practice privilege to practice in South Dakota should Licensee change her home state under the Nurse Licensure Compact and Licensee's practice privilege is subject to the same requirements set forth in this order as her South Dakota license.

IT IS HEREBY ORDERED that the above Reinstatement Order with Probation was adopted by the South Dakota Board of Nursing on the 26<sup>th</sup> day of February, 2010, by a vote of 9-0.

SOUTH DAKOTA BOARD OF NURSING

  
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Gloria Damgaard, Executive Director