



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, on February 26, 2010, the Board reinstated Licensee’s registered nurse license and placed her on probationary status for a period of sixty (60) months of active practice as a registered nurse. As part of the probation, Licensee was mandated to continue participation in HPAP for a period of five years of active nursing practice with credit given for time already enrolled in HPAP; and

WHEREAS, on or about October 26, 2011, the Board was advised by HPAP that the work site monitor had expressed concerns regarding Licensee’s lack of timeliness in documentation, concerns regarding confidentiality, and general work performance issues. It was reported that the Licensee was providing inconsistent information to her work site monitor and HPAP regarding her job performance, and was exhibiting poor judgment and problem solving. Licensee admitted to job stress and anxiety; and

WHEREAS, following an Informal Meeting with the Board of Nursing investigator on January 10, 2012, Licensee agreed to a psychological evaluation at the recommendation of her HPAP group therapist. Said evaluation was to clarify Licensee’s situation and to provide recommendations for the future; and

WHEREAS, based on said evaluation, Licensee has agreed that she would surrender her South Dakota nursing license in order to address her current issues; and

ITS 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 Voluntary Surrender Consent Order.
2. That on April 27, 2009, the 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.

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.

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 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.

On February 26, 2010, the Board reinstated Licensee's R.N. license and placed her on probationary status for a period of sixty (60) months of active practice as a registered nurse. As part of the probation, Licensee was mandated to continue participation in HPAP for a period of five years of active nursing practice with credit given for time already enrolled in HPAP.

On or about October 26, 2011, the Board was advised by HPAP that the work site monitor had expressed concerns regarding Licensee's lack of timeliness in documentation, concerns regarding confidentiality, and general work performance issues. It was reported that the Licensee was providing inconsistent information to her work site monitor and HPAP regarding her job performance, and was exhibiting poor judgment and problem solving. Licensee admitted to job stress and anxiety.

Following an Informal Meeting with the Board of Nursing investigator on January 10, 2012, Licensee agreed to a psychological evaluation at the recommendation of her HPAP group therapist. Said evaluation was to clarify Licensee's situation and to provide recommendations for the future.

Based on said evaluation, Licensee has agreed that she would surrender her South Dakota nursing license in order to address her current issues, and now intends to leave the profession of nursing as a registered nurse.

3. That the Licensee has been given an opportunity to discuss this Voluntary Surrender Consent Order with an attorney of Licensee's choice, and is aware of her right

to a hearing in this matter, and of her 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 also agrees that the Board's Executive Director or her designee may present this Voluntary Surrender Consent Order to the Board and disclose to the Board all items of her investigation, including, but not limited to, any communications with Licensee.

4. That the Licensee's license to practice nursing in South Dakota and her privilege to practice nursing pursuant to the Nurse Licensure Compact shall be surrendered and the Board shall suspend said license for an indefinite period from the date of this Order. Licensee may apply to have her license reinstated for good cause shown.

5. That nothing in this Voluntary Surrender Consent Order should imply that the Licensee shall be reinstated. Licensee recognizes that the reinstatement terms, as well as the requirements for reinstatement, are at the sole discretion of the Board.

6. That if the Licensee requests reinstatement, Licensee has the burden of presenting information showing that Licensee's license should be reinstated.

7. That it is further stipulated and agreed that this Voluntary Surrender Consent Order is being entered into voluntarily by the Licensee and without threats or coercion and is entered into after the Licensee has been given ample opportunity to

consider these matters and to discuss this Voluntary Surrender Consent Order with an attorney of Licensee's choice and that the Licensee has a full understanding of the legal consequences of this Voluntary Surrender Consent Order and of the Licensee's rights to a formal hearing on these matters, which rights are hereby waived by the signing of this Voluntary Surrender Consent Order.

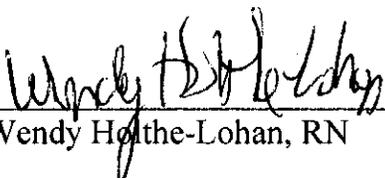
8. Licensee understands that during the period of this Voluntary Surrender that she is ineligible to work in any nursing role, including that of a nurse aide, nurse assistant, or medication assistant/aide.

9. This action is reportable discipline and will be published in the Board's newsletter and posted on its web site and reported into the Healthcare Integrity and Protection Data Bank (HIPDB) and National Practitioner Data Bank (NPDB) as required by law.

10. That the Board may enter an Order consistent with the terms of this Stipulation.

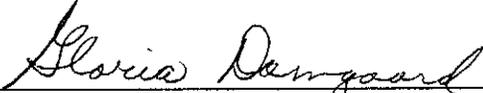
NOW, THEREFORE, the foregoing Voluntary Surrender Consent Order is entered into and is respectfully submitted to the Board with the request that the Board adopt its terms as an Order of the Board in the above matter.

Dated this 12 day of March, 2012.

  
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Wendy Holthe-Lohan, RN

The South Dakota Board of Nursing meeting on the 22<sup>nd</sup> day of February  
2012, approved the attached Voluntary Surrender Consent Order as written and issued its  
Order as follows:

IT IS HEREBY ORDERED that the above Voluntary Surrender Consent Order is  
adopted as shown herein by the South Dakota Board of Nursing this 15 day of  
March, 2012, by vote of 10-0.

  
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Gloria Damgaard, Executive Director  
South Dakota Board of Nursing