

**STATE OF SOUTH DAKOTA
DEPARTMENT OF COMMERCE AND REGULATION
SOUTH DAKOTA BOARD OF NURSING**

**IN THE MATTER OF THE LICENSURE
PROCEEDINGS RE:**

TRIXIE INGEMUNSON, L.P.N.

License No. P008858

Licensee.

**ORDER OF
REINSTATEMENT
WITH
PROBATION**

WHEREAS, TRIXIE INGEMUNSON, L.P.N. ("Licensee"), was a licensed practical nurse in the State of South Dakota and holds license number P008858; and

WHEREAS, on September 19, 2002, after a hearing, the Board accepted a voluntary surrender consent order suspending Licensee's LPN license indefinitely subject to reinstatement requests pursuant to SDCL 36-9-57, as the Board in its discretion may determine, and

WHEREAS, Licensee made a reinstatement request in writing and was personally present at the Board's January 23, 2004, meeting at which time the matter of Licensee's reinstatement was presented to the Board, and Licensee presented statements and answered questions of the Board, and

WHEREAS, the Board has considered such request, testimony, statements, documents and orders, and is 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 Licensee's license to practice nursing in South Dakota is reinstated but will be placed on a probationary status for 36 months active practice as a nurse and employment in nursing practice from the date of this Order, which probationary terms and conditions shall be completely followed by the Licensee as follows:

CONDITIONS:

1. That the Licensee will notify the Board of any employment in nursing, including changes in employment. Furthermore, the Licensee will inform any current or prospective employer with whom he seeks employment as a nurse, as to the subject matter and the nature of the proceedings and the Stipulation. Licensee would further agree that any such employer would during the first year of probation, provide quarterly written reports to the Board as to her progress as an employee, and during the balance of the probationary period provide reports on a basis of every six (6) months. The reports shall provide and/or address:

- a) In the first report **which shall be due within 10 days of the date of this order or the Licensee's beginning new employment**, evidence that Licensee's supervisor has received a copy of the Order and that the supervisor agrees to comply with the reporting and supervision requirements of this Order;
- b) Licensee's attendance and reliability;
- c) Licensee's ability to practice professional nursing, including the exercise of clinical decision making and adherence to documentation standards;
- d) Licensee's ability to carry out assigned functions, including Licensee's medication administration, decision making, critical thinking, ability to establish priorities, and compliance with the facility's policies, and procedures;
- e) Licensee's ability to handle stress;
- f) Number of hours Licensee worked during the reporting period;
- g) Any other information which the supervisor believes would assist the Board in its ultimate review of the case.
- h) The employer agrees to report any concerns or violations of the Stipulation and Order

or the Nurse Practice Act (SDCL 36-9) to the Board of Nursing immediately.

2. Licensee shall not be employed by a temporary agency.
3. Licensee may only practice under the “on-site” supervision of a licensed nurse in good standing with the Board for a minimum of six months of active practice in nursing. The supervising nurse shall be primarily one (1) person, who may periodically delegate to other qualified personnel.
4. Licensee shall arrange with the Board staff probationary meetings once every three (3) months during the first year of probation. Thereafter, probationary meetings will be arranged by the Licensee every six (6) months for the balance of the probationary period. It will be the obligation of the Licensee to schedule these meetings at such time and place as the Board staff would reasonably designate.
5. Furthermore, the Licensee will submit a self-evaluation report to the Board office prior to each probationary meeting. The report shall provide and/or address:
 - a) Licensee's professional employment status, including employer support, peer support, and ability to handle stress;
 - b) Licensee's ability to practice professional nursing, including the exercise of clinical decision making and adherence to documentation and medication administration standards.
 - c) Licensee's ability to carry out assigned functions, including Licensee's decision making, critical thinking, ability to establish priorities, and compliance with the facility's policies and procedures; and
 - d) Any other information which the Licensee believes would assist the Board in it's ultimate review of the case.
7. 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.

8. Licensee shall not violate any law or regulation regarding the practice of nursing.
9. Licensee shall execute all release of information forms as may be required by the Board or its designee.
10. Within ten (10) days of the effective date of the order, Licensee shall submit her current renewal certificate to the Board office to be stamped "PROBATION".
11. Licensee shall notify the Board, in writing, within one (1) week of any change in nursing employment, personal address and/or telephone number.
12. Licensee shall pay for all costs and expenses in carrying out any conditions of the probation.
13. Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, they must first be approved by the Board prior to leaving the state. If Licensee fails to receive such approval before leaving the state, none of the time spent out-of-state will be credited to the fulfillment of the terms and conditions of this Order.
14. 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 licenses issued by the Board.
15. Notwithstanding anything in this Stipulation and Order to the contrary, should the Licensee be convicted of a felony which would be grounds for discipline under SDCL § 36-9-49, either relating to the allegations herein or to any other actions or omissions of Licensee, the Licensee agrees that the Board may take further action against her license, including, but not limited to, immediate suspension, additional probation terms, or an additional length of probation, or other disciplinary action. Licensee agrees to immediately inform the Board of the outcome of any criminal

charges presently or hereafter pending against Licensee. Licensee shall also fully comply with all terms of her probation ordered by the Courts for her conviction leading to her Voluntary Surrender Consent Order, and shall immediately inform the Board of any reported probation violations.

16. All provisions and conditions of this Stipulation shall carry over to any license or privilege to practice that the Licensee receives pursuant to the multi-state nursing compact.

17. Licensee shall provide evidence of satisfactorily completing a preapproved course or board module concerning LPN Ethics within six (6) months from the date of the Order. Failure to satisfactorily complete the module within six months shall constitute a violation of this order.

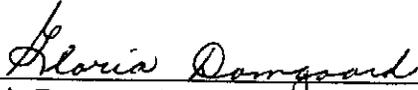
18. Licensee shall not practice nursing in any state other than South Dakota which is a party state to the Nurse Licensure Compact without prior written authorization from both the Board and the nursing regulatory authority in the party state in which the Licensee desires to practice.

19. Licensee shall continue counseling from a counselor pre-approved by Board staff. The type, frequency, and duration of counseling shall be reasonably determined by the counselor. The counselor shall submit reports to the Board quarterly the first six months and every six months thereafter. The report shall provide and/or address:

- a) Verification that the counselor has seen a copy of the Stipulation and Order.
- b) Diagnosis, treatment plan, and progress in counseling;
- c) Licensee's ability to handle stress;
- d) Licensee's ability to practice as a professional nurse, including the exercise of clinical decision making and interpersonal relationships with co-workers, clients/families;
- e) Any other information which the counselor believes would assist the Board in its ultimate review of the case.

20. Licensee shall continue involvement in Gambler's Anonymous and shall, upon request, document such involvement to Board staff.

IT IS HEREBY ORDERED that the above Order was adopted the South Dakota Board of Nursing on the 23rd day of January, 2004, by vote of 9-0.



Gloria Damgaard, Executive Secretary