

to continue for a period of one year of active practice as a CNP by the Licensee. The probation was to include quarterly reports from the Licensee and her work-site monitor, completion of approved educational classes for advanced practice levels in (1) Assessment; (2) Pharmacology; and (3) Documentation. There were also to be random medical record audits by an independent consultant experienced in CNP practice.

In April 2010, the Licensee started full-time employment as CRST Health Department CEO position with Indian Health Services. As a result of this new position, Licensee's CNP practice hours dropped from 111 hours in a three month period to 16 hours in a three month period.

The Licensee, as part of her probation and remediation, completed the advanced nursing courses on Assessment and on Documentation but dropped out of the Pharmacology course as she was too far behind. An independent CNP consultant reviewed the medical records of clients who were seen by the Licensee for approximately 16 to 18 months after the Stipulation was issued, and one to two months after completion of the advanced practice assessment course and while she was enrolled in advance practice documentation course. Based on review by the consultant hired by the Boards, the Boards maintain that the Licensee had not yet met the expected standards of practice. Licensee disputes this allegation.

Based on the above information, the Boards conclude that the Licensee has not been able to fulfill the requirements of her Stipulation for Probation with Remediation and was out of compliance with her probation agreement with the Boards; and

WHEREAS, the Boards on November 19, 2010, entered an Order of Summary Suspension of the Licensee's CNP license and noticed the Licensee for a hearing before the Boards for March 31, 2011; and

WHEREAS, it is the intent of the Licensee and the Boards to enter into a Stipulation to allow Licensee additional time to address her practice issues, and to continue the March 31, 2011, hearing, and to provide for a responsible resolution hereto; now therefore,

IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

1. That the Boards have jurisdiction over the person of the Licensee and the subject matter of this Stipulation.
2. Licensee has admitted to issues of documentation, non-adherence to standards of practice, inappropriate assessments and treatments, and lack of patient education in regards to her CNP practice and she has been taking steps through the previously ordered probationary stipulation to address these issues.
3. Licensee was not able to complete the terms of her probation and desires to take additional steps toward fulfilling the probationary terms.

4. That the Licensee and the Boards agree that Licensee's CNP license will continue to be under an order of suspension until such time Licensee completes a Board of Nursing approved graduate level advanced practice nursing pharmacology class from an accredited nurse practitioner program that prepares family practice nurse practitioners and petitions, according to SDCL § 36-9A-34, for reinstatement of her CNP license in order to complete the remainder of the probationary order. Such approval by the Boards is not to be unreasonably withheld.

5. By stipulating to this extension of suspension, neither party is waiving their rights to go forward with a due process hearing pursuant to SDCL § 36-9A-31 and SDCL Ch.1-26, following conclusion of the continuance. Likewise, the stipulation for continuance is not intended to alter which party bears the burden of proof at any rescheduled hearing regarding the violation of August 2009 Stipulation and Order for Probation with Remediation and the November 2010 Order of Summary Suspension.

6. The Licensee's CNP license shall continue to be kept by the Joint Boards until further action on this matter.

7. The Licensee has been given an opportunity to discuss this Stipulation with an attorney of Licensee's choice, and is aware of her 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 the March 31, 2011

hearing. Licensee is entering into this Stipulation voluntarily and without duress or compulsion.

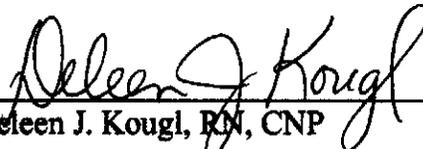
8. Licensee shall not violate any laws or regulations regarding the practice of nursing.

9. Licensee shall not practice or hold herself out as a CNP during the terms of this Stipulation.

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

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

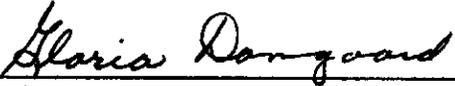
Dated this 14 day of June, 2011.


Deleen J. Kougl, RN, CNP

Delphine J. Mannone
My Commission Expires
4-3-15

IT IS HEREBY ORDERED that the above Stipulation is adopted as an Order of the South Dakota Board of Nursing this 17th day of June, 2011.

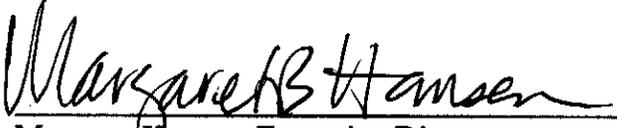
SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, Executive Director

IT IS HEREBY ORDERED that the above is adopted as an Order of the South Dakota Board of Medical & Osteopathic Examiners this 24th day of June, 2011.

SOUTH DAKOTA BOARD OF MEDICAL &
OSTEOPATHIC EXAMINERS



Margaret Hansen, Executive Director