

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. (See Stipulation and Order for Probation with Remediation, dated August 3, 2009, as if set forth fully herein.)

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 disputed this allegation.

Based on the above information, the Boards conclude that the Licensee was not 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 30, 2010, entered an Order of Summary
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Suspension of the Licensee's CNP license and noticed the Licensee for a hearing before the Boards for March 31, 2011 (*see* Order of Summary Suspension and Notice of Hearing, dated November 30, 2010, and Affidavit of Kathleen Rausch, dated November 29, 2010, as if set forth fully herein); and

WHEREAS, on or about June 24, 2011, the Licensee and the Boards entered into a stipulation for continued suspension of the Licensee's CNP license. Said stipulation was to allow the Licensee additional time to address her practice issues, to continue the March 31, 2011, hearing, and for Licensee to complete her remediation and provide a mutual resolution to this matter (*See* Stipulation for Continued Suspension of CNP License and Order, dated June 24, 2011, as if set forth fully herein); and

WHEREAS, on September 27, 2011, the Licensee advised the Boards that she had completed the board approved graduate level advanced practice nursing pharmacology class and submitted petition to the Board requesting reinstatement of her CNP license; and

WHEREAS, the Boards have recommended that Licensee's CNP license hereby be reinstated in order for her to complete the terms of the previous probationary order; and

WHEREAS, the Boards have considered the Licensee's reinstatement request, the documents provided by the Licensee, and being fully advised in the premises;

NOW, THEREFORE, IT IS ORDERED:

1. That the Boards have jurisdiction over the person of the Licensee and the subject matter of this Order.

2. That Licensee's license to practice as a certified nurse practitioner in the State of South Dakota is hereby reinstated and placed on a probationary status for twelve (12) months, or one year of successful practice under the terms of this Order for active practice as a certified nurse practitioner. Licensee shall comply with the following 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 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, her collaborative physician, and a self-report.

3. Quarterly Reports to include:

- Random chart assessments (medical record audits by Board Consultant); and
- Evidence (written) of a positive collaborative relationship with her collaborating physician.

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 will be issued a CNP license, which will 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 licenses 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 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 requirement set forth in this Order as her South Dakota license.

IT IS HEREBY ORDERED that the above is adopted as an Order of the South Dakota Board of Nursing this 15th day of November, 2011.

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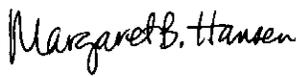
SOUTH DAKOTA BOARD OF NURSING



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 15th day of November, 2011.

SOUTH DAKOTA BOARD OF MEDICAL &
OSTEOPATHIC EXAMINERS


Margaret Hansen, Executive Director