



Documentation. There were also to be random medical record audits by an independent consultant experienced in CNP practice.

In April 2010, 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 3 month period to 16 hours in the last 3 month period.

The Licensee, as part of her probation and remediation, has completed advanced nursing courses on Assessment and on Documentation but has dropped out of the Pharmacology course as she was too far behind. The independent CNP consultant reviewed the medical records of clients seen by the Licensee for approximately 9 to 10 months after the Stipulation was issued, and 3 to 4 months after completion of the two advanced practice assessment courses. It was determined that the Licensee does not yet meet standards of practice, has incomplete assessments, and possible inappropriate treatments.

Licensee's verification of employment on her renewal application for the CNP license, dated October 14, 2010, indicated that the Licensee had worked over 500 hours in CNP practice, when her quarterly reports under the probationary terms for the same period indicated that she had only worked 281 hours as a CNP.

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 is out of compliance with her probation agreement with the Boards; and

WHEREAS, based upon the affidavit of Kathleen Rausch and the above stated conduct, the Boards have concluded that the public health, safety and welfare require emergency action, in that Licensee's actions may endanger the health and safety of those

who are, or will be, entrusted to her care in the future; and

WHEREAS, the Boards have a statutory obligation to protect the health, safety and welfare set forth in SDCL §36-9, including the protection of the public from unsafe nursing practices and practitioners.

NOW THEREFORE IT IS HEREBY ORDERED:

1. That the Boards have jurisdiction of the Licensee and the subject matter of this Order.
2. That based on the above, the Boards specifically find that the public health, safety and welfare require emergency action against Licensee's CNP license.
3. That based on the above, the Boards specifically find that the Licensee's actions endanger the public health, safety and welfare, and imperatively requires emergency action in that Licensee may endanger the health and safety of those persons who are or will be entrusted to her care in the future and that these are matters of a nature that would constitute further grounds for discipline of her CNP license under SDCL § 36-9A-29(5) and (10).
4. Based upon these findings, Licensee's license to practice as a CNP in South Dakota is hereby summarily suspended. Licensee may petition according to SDCL § 36-9A-34 for reinstatement of her CNP license at any time for "good cause".
5. That Licensee shall turn in her CNP license to the Boards within ten (10) days from the date of this Order and it shall be kept by the Boards until further action on this matter.

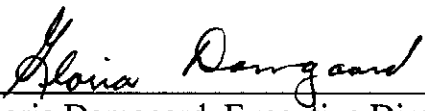
6. Licensee is hereby notified that any practice of or holding herself out as a Certified Nurse Practitioner during the terms of this Order of Summary Suspension is a violation of SDCL § 36-9A-35.

7. 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.

The South Board of Nursing at its meeting on the 19th day of November 2010 approved this Order of Summary Suspension as written without modifications and issues its Order of Summary Suspension consistent herein as follows:

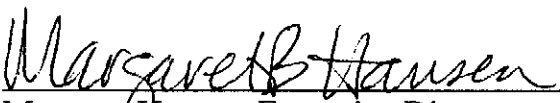
IT IS HEREBY ORDERED that the above is adopted as an Order of the South Dakota Board of Nursing this 19th day of November, 2010 by a vote of 8 - 0.

SOUTH DAKOTA BOARD OF NURSING

  
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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 30 day of Nov, 2010.

SOUTH DAKOTA BOARD OF MEDICAL &  
OSTEOPATHIC EXAMINERS

  
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Margaret Hansen, Executive Director

### NOTICE OF HEARING

The South Dakota Board of Nursing and the South Dakota Board of Medical & Osteopathic Examiners ("the Boards") pursuant to SDCL §§ 1-26-16, 1-26-27, and 1-26-29, hereby provide this Notice of Hearing to Deleen Kougl, RN (License number R026390), and Certified Nurse Practitioner (License number CP000316), as follows:

1. Hearing on the Order of Summary Suspension of CNP License will take place before the Boards on March 31, 2011, at 9 o'clock a.m. at the Board of ~~Nursing~~ <sup>Medicine</sup> office, ~~4305 S. Louise Avenue~~ <sup>101 N. Main Ave</sup>, Suite ~~201~~ <sup>301</sup> in Sioux Falls, South Dakota.

2. This matter is an adversarial proceeding and Licensee has the right to be present at the hearing and to be represented by an attorney. These due process rights will be forfeited if they are not exercised at the hearing.

3. Licensee has a right to request that the agency use the Office of Hearing Examiners for this proceeding by giving notice of the request to the Boards no later than ten (10) days after service of this Notice of Hearing on Order of Summary Suspension.

4. A decision issued by the Boards after the hearing may be appealed to the circuit court and to the state Supreme Court as provided by law.

Dated this 19<sup>th</sup> day of November, 2010.

SOUTH DAKOTA BOARD OF NURSING

Gloria Damgaard

Gloria Damgaard, Executive Director

Dated this 30 day of Nov, 2010.

SOUTH DAKOTA BOARD OF MEDICAL &  
OSTEOPATHIC EXAMINERS

Margaret Hansen

Margaret Hansen, Executive Director