

FINDINGS OF FACT

1. That Elizabeth R. Lestenkof, RN, is licensed to practice as a registered nurse in the State of South Dakota and holds license number R-023245.
2. That Licensee was has been licensed as a registered nurse since 1989, practicing in South Dakota, Alaska, Minnesota, and Arizona.
3. In mid 2005, Licensee, while employed by the IHS in Arizona on a multi-state privilege, began to use alcohol to relieve tooth pain.
4. Licensee has undergone alcohol treatment four (4) times since 2000.
5. On July 28, 2005, Licensee voluntarily entered into the South Dakota Health Professionals Assistance Program (“HPAP”) and signed a contract.
6. On October 7, 2005, HPAP reported a relapse by the Licensee, Licensee’s treatment at Worthmore in Aberdeen, and Licensee’s consultation with a pain specialist.
7. In October and November, 2005, the Arizona Board of Nursing filed a complaint against the Licensee alleging substance abuse and notified the South Dakota Board of Nursing regarding the same.
8. On November 30, 2005, HPAP released the Licensee from her Refrain from Nursing Practice as she had been compliant with the terms and conditions of HPAP.
9. In February 2006, the South Dakota Board of Nursing mandated the Licensee into the HPAP program and advised the Arizona Board of Nursing of this action.

10. The quarterly reports from HPAP in the year 2006 showed that Licensee was compliant with HPAP. Licensee was employed with Mesaba Airlines and in the fourth quarter of 2006, added part-time work at Bethesda Nursing Home in Aberdeen.

11. The first quarterly report from HPAP in 2007 showed marginal compliance by the Licensee with sixteen (16) disciplinary points. Licensee had taken on additional work at the Avera St. Lukes Hospital and was working more than a one and a half full time position in total.

12. In June, 2007, the Licensee was issued a Letter of Concern from the South Dakota Board of Nursing for marginal compliance with the HPAP program.

13. Following her employment at Avera St. Lukes, the Licensee failed to identify a work site monitor as required by HPAP. She did not talk to or tell her employer of this requirement.

14. The September 30, 2007 quarterly report from HPAP showed twenty-two (22) disciplinary points against Licensee.

15. In October, 2007, the Licensee had a relapse of her alcohol use.

16. On November 19, 2007, the Licensee reported her relapse to HPAP and advised of her treatment subsequent to her relapse.

17. On December 6, 2007, the Licensee submitted a self-recovery plan to HPAP.

18. Since relapse, the Licensee has been attending treatment, has not had any alcohol, and is off prescription narcotics.

19. On December 31, 2007, Licensee had only four (4) disciplinary points on her HPAP quarterly report.

20. According to HPAP, the Licensee needs more time in her recovery plan before she can return to work as a nurse.

21. The Licensee is currently employed full-time at Radio Shack in Aberdeen.

From the following Findings of Fact, the Board draws the following:

CONCLUSIONS OF LAW

1. The South Dakota Board of Nursing has jurisdiction and authority over this matter pursuant to SDCL §§ 36-9-1.1 and 36-9-49.

2. That Licensee's conduct as identified in the Findings of Fact are inconsistent with the health and safety of persons entrusted to her care and violates the statutes, rules and regulations regarding the practice of nursing and are in violation of SDCL § 36-9-49(4), (5) and (7).

THEREFORE, let an order be entered accordingly:

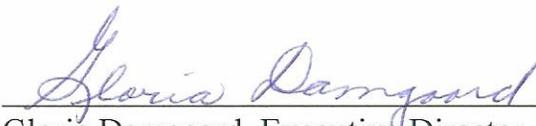
ORDER

Based on the Findings of Fact and Conclusions of Law, the South Dakota Board of Nursing hereby orders:

1. That the Licensee's license to practice as a registered nurse in the State of South Dakota is hereby indefinitely suspended for failure to follow the terms of HPAP.
2. That the Licensee may petition according to SDCL § 36-9-57 for reinstatement of her license at any time for "good cause". Any reinstatement request must include documentary evidence of at least six (6) months of documented sobriety from January 29, 2008.
3. That the Licensee shall turn in her license to the Board of Nursing within ten (10) days of this order.
4. That the Licensee is hereby notified that any practice as, or holding herself out as, a registered nurse during the terms of this suspension is in violation of SDCL § 36-9-69.

Dated this 7th day of February, 2008.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, Executive Director

The above Findings of Fact , Conclusion of Law, and Order of Suspension were adopted by the South Dakota Board of Nursing on this 29th day of January, 2008, by a vote of 8-0.

Dated this 7th day of February, 2008.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, Executive Director