

SOUTH DAKOTA BOARD OF NURSING

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IN THE MATTER OF THE
LICENSURE PROCEEDINGS

VOLUNTARY SURRENDER
CONSENT ORDER

RE: CHRISTINE M. RAMIREZ,
License No. R-027173,

Licensee.

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WHEREAS, CHRISTINE M. RAMIREZ, R.N. ("Licensee"), is licensed to practice as a registered nurse in the State of South Dakota, and holds License No. R-027173; and

WHEREAS, it has been alleged that Licensee, during the term of her employment at Oahe Manor Nursing Home, Gettysburg, South Dakota, she took eight (8) tablets of Tylenol #3, and that, if proven, such action would have been inconsistent with the health or safety of the persons entrusted to her care; and would have been in violation of SDCL 36-9-49(7) and (10), and the Licensee is now requesting to voluntarily surrender her nursing license; and

WHEREAS, the South Dakota Board of Nursing has the statutory obligation to protect the public health, safety and welfare as set forth in SDCL § 36-9, including the protection of the public from unsafe nursing practitioners and practices; and

WHEREAS, the parties hereto desire to resolve the issues presented by this action, without the necessity of further hearings and proceedings herein, and to provide for a responsible solution thereto; and

WHEREAS, the Licensee agrees that this agreement is entered into by her voluntarily, in full understanding of the legal consequences of this document, and of her rights, which she hereby waives in the signing of this agreement; and

WHEREAS, SDCL § 36-9-57 provides that any suspended license may be reissued at the discretion of the South Dakota Board of Nursing, upon a finding of good cause. Nothing in this Stipulation shall be deemed to be an agreement as to the action the Board may or may not take with respect to any subsequent request for reissuance of the said license.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED as follows:

1. That the Licensee waives all procedural requirements of State and Federal constitution, laws, and regulations, including, but not limited to, the procedural requirements of SDCL § 36-9 and 1-26.

2. That the South Dakota Board of Nursing has jurisdiction over the person of the Licensee and the subject matter of this agreement.

3. That this agreement is entered into voluntarily by the Licensee, without duress. The Licensee has had the opportunity to have her attorney review this agreement.

4. That the Licensee's license to practice nursing in South Dakota is voluntarily surrendered and the Licensee's license status shall be placed on the status of a surrendered license and suspended indefinitely, pending investigation of the allegations.

5. That the Licensee has had an opportunity to discuss this Stipulation with an attorney of Licensee's choice and is aware of her rights in this matter, including her right to a hearing, and all rights under the United States and South Dakota Constitutions, laws, rules, and/or regulations. Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or any other rights under said Constitutions, laws, rules and/or regulations. Licensee is entering into this Stipulation and Order voluntarily, without duress or compulsion. Licensee also agrees that the Board's Executive Secretary or her designee may present this Stipulation to the Board and disclose to the Board all items of her investigation, including, but not limited to, any communications with Licensee.

NOW, THEREFORE, the Licensee consents to the entry of the aforesaid terms and conditions and the same are respectfully submitted to the South Dakota Board of Nursing for the purposes of allowing the said terms to become an order of the Board, and Licensee submits herewith her license to be suspended indefinitely, pending investigation of the allegations.

Dated this 18th day of November, 1995.

Christine M. Ramirez
CHRISTINE M. RAMIREZ, Licensee

Approved by the South Dakota Board of Nursing this 15th day of November, 1995.

Diane VanderWoude RN, MS
Diane Vander Woude, Executive Secretary