



WHEREAS, based on this information, an informal meeting was held with the Licensee and Board staff, Linda Young and Michele Crissman. (See Minutes of Informal Meeting dated April 23, 2004, which are hereby incorporated by reference as if set forth fully herein); and

WHEREAS, at the conclusion of the informal meeting, the following recommendation were presented to the Licensee:

(a) That she coordinate with Mike Coley for her return to practice providing needs assurances that she is fully involved in HPAP; and

(b) That a recommendation would be made to the full Board that Licensee participate in HPAP. However, she was cautioned that upon review by the Board, it may be determined that her license should be placed on probation. She was informed that if she failed to comply with HPAP between now and the Board meeting in July, a recommendation could be made that her license be placed on probation or possibly suspended.

The Board staff attempted to impress upon the Licensee that compliance and abstention from alcohol was necessary in order for her to keep her license. The Board staff encouraged her to obtain the support that she needed to pursue her goals to abstain from drinking; and

WHEREAS, after the informal meeting, Mike Coley, on May 19, 2004, advised the Board that the Licensee had agreed to enter inpatient treatment and continue her enrollment in HPAP until cleared from that program; and

WHEREAS, that on July 15, 2004, the matter of the Licensee was presented to the South Dakota Board of Nursing and it was moved and seconded that Licensee be mandated to continue HPAP. The motion carried; and

WHEREAS, on September 2, 2004, the Board received a copy of a letter to the Licensee from HPAP discharging her from the program due to gross non-compliance of the reporting and clinical stipulation of her HPAP monitoring contract. Mike Coley, of HPAP, wrote that he was not in the position where he could comfortably report to the Board that Licensee was stable, alcohol free, and able to return to nursing; and

WHEREAS, Licensee's conduct as stated would be 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 is in violation of SDCL § 36-9-49(2), (4), (7), and (10); and

WHEREAS, the South Dakota Board of Nursing (hereinafter the "Board") has a 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 practices and practitioners.

NOW, THEREFORE, it is hereby ORDERED:

1. That the Board has jurisdiction of the Licensee and the subject matter of this Order.
2. That based upon the above, the Board specifically finds that the public health, safety, and welfare require emergency action against Licensee's license.

3. That the Board specifically finds that the Licensee has not observed the terms of the HPAP and that the actions of Licensee endanger the public health, safety, and welfare and imperatively require immediate action and that the Licensee's actions may endanger the health and safety of those persons who are or will be entrusted to her care in the future and these matters are of a nature that would constitute further grounds for discipline of her license to practice nursing under SDCL § 36-9-49.

4. That based on these findings, the Licensee's license to practice nursing in South Dakota is hereby suspended. The Licensee may petition according to SDCL § 36-9-57 for reinstatement of her license at any time for "good cause" and upon the completion of the recommendations made by HPAP, their evaluation, and subsequent clearance.

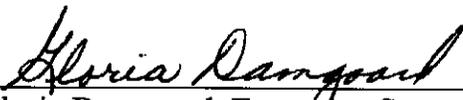
5. The Licensee shall turn in her license to the Board within ten (10) days from the date of this Order and it shall be kept by the Board until further action on this matter.

6. Licensee is hereby notified that any practice of or holding herself out as a registered nurse during the terms of this Summary Suspension is a violation of SDCL § 36-9-68.

The South Dakota Board of Nursing meeting on the 16<sup>th</sup> day of September, 2004, approved this Order of Summary Suspension as written without modifications and issues its Order of Probation consistent herein as follows:

IT IS HEREBY ORDERED that the above is adopted as an Order of the South  
Dakota Board of Nursing this 16<sup>th</sup> day of September, 2004, by a vote of

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Gloria Damgaard, Executive Secretary  
South Dakota Board of Nursing