



**SOUTH DAKOTA BOARD OF NURSING**  
 4305 S. LOUISE AVENUE SUITE 201, SIOUX FALLS SD 57106

**SEPTEMBER 16, 2004**

**MINUTES**

CALL TO ORDER: 10:30 a.m.

BOARD MEMBERS	ATTENDANCE	BOARD STAFF IN ATTENDANCE	
Linda Bunkers, President	Present	Gloria Damgaard	Executive Secretary
Deb Soholt, Vice President	Present, a.m. only	Nancy Bohr	Nursing Program Specialist
Christine Pellet, Secretary	Present	Linda Young	Nursing Practice Specialist
Diana Berkland	Present	Robert Garrigan	Senior Accountant
Teresa Disburg	Present	Kris O'Connell	Board Attorney
Doris Dufault	Excused	Mike Coley	HPAP Director
June Larson	Present	Winora Robles	Senior Secretary
Donald Simmons	Present		
Patricia Wagner	Present		
Nancy Wahlstrom	Excused		
Robin York	Present		

MINUTES: With the correction of a typing error on page 6, the July 2004 Minutes were approved in a voice vote.

AGENDA: With the addition of two new discipline cases, the Agenda was approved in a voice vote.

FINANCIAL REPORTS: Robert Garrigan shared with the Board that all accounts are at expected levels. Tuition Reimbursement 2002 Program payments that have come due are being disbursed.

REPORTS

NCSBN 2004 Delegate Assembly, Kansas City: Gloria Damgaard shared information with the Board concerning the Assembly. The new NCLEX test plan was approved and will go into effect next year. New officers were elected. Diana Berkland, who also attended, says the Board can be proud that this Board is well-recognized at the national level. Next year's Assembly will be in Washington DC.

SD Center for Nursing Workforce: Gloria Damgaard presented based on handouts that had been distributed. June Larson announced that an October 16 NEDDS Meeting regarding education articulation will be held in Sioux Falls; each NEDDS member may bring a curriculum person. General education requirements are to be reviewed. Gloria Damgaard says that the virtual lab is on track, with Claudia Johnston's proposal having been awarded a grant.

Annual Report: Department of Health: Gloria Damgaard reviewed the report and performance indicators. Board staff received and investigated 102 complaints last year; of those, 93 were resolved, and nine remained pending at the end of FY2004. Two formal hearings were held. Reprimands and/or probations were issued in 27 cases; 11 licenses were suspended or revoked. In 23 cases, no action was taken against the licensee, and non-disciplinary actions taken by the Board totaled 32.

Nursing license renewals totaled 5,879, and 875 new licenses were issued. At the end of FY2004, the Board of Nursing served 13,045 active RN and LPN practitioners on the registry.

NCLEX Results: Nancy Bohr presented based on written reports. Gloria Damgaard pointed out that these preliminary numbers are FYI; there is not yet sufficient data upon which to base regulatory decisions.

Sharing Our Wisdom Conference: Gloria Damgaard and June Larson reported that the September 9 Conference held in Sioux Falls was very well attended. The speaker was excellent.

Governor's 2010 Education Initiative Invitational Meeting: Gloria Damgaard shared with the Board that education articulation was an important topic of discussion, especially regarding Technical Institutes.

Pioneer Press: This article, "Nursing Grads Want for Work" was included as an informational piece.

UNFINISHED BUSINESS

Approval of Schools: ARSD 20:48 Rules Revision Update: Gloria Damgaard shared that this process is now completed. The final version was distributed to the Board, and has been filed with the Secretary of State.

Memo of Understanding – Board of Medical Examiners & Board of Nursing: 36-9-A. Kris O’Connell stated that an acceptable compromise document can probably be drafted, taking into account differences between BOM and BON versions, and that she will meet with Dennis Duncan, BOM Attorney, next week.

MOTION: Diana Berkland moved that South Dakota Board of Nursing direct Kris O’Connell, Board Attorney, to work with the South Dakota Board of Medical and Osteopathic Examiners’ Attorney to draft a memo of understanding related to the delegation of licensing activities in accordance with SDCL 36-9-A8.

Motion seconded by Patricia Wagner.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Yes		<b>Motion carried</b>

IFMC Update: Robert Garrigan presented a live on-screen demonstration of the current Mainframe and the new IFMC systems. The online target date for IFMC is December 2004. Gloria Damgaard pointed out some of the Mainframe’s general and specific drawbacks, such as restricted reporting capabilities, and inability to enter compact state APNs. Robert reviewed some advantages of the new system, including reporting capabilities, eliminating the need to type nursing licenses on a typewriter, and writing receipts by hand. On IFMC, each nurse has a file; on the Mainframe, each license has a file. Therefore, on the Mainframe, one nurse may have three separate CNA, LPN, and RN files. Also, data concerning Advanced Practice licensure cannot be searched; currently, a separate list of APNs is kept manually.

#### NEW BUSINESS

Clinical Enrichment Programs: Evaluations/Reports; Requests for Reapproval: Nancy Bohr presented.

St. Michael’s Tyndall: The written report was reviewed. No changes were proposed.

Lookout Memorial Hospital: The written report was reviewed; proposed changes have been outlined.

Rapid City Regional Hospital: The written report was reviewed. No major changes are planned.

MOTION: Robin York moved that South Dakota Board of Nursing grant continuing approval for the Clinical Enrichment Programs at St. Michael’s Hospital and Nursing Home, Tyndall; Lookout Memorial Hospital, Spearfish; and Rapid City Regional Hospital for the summer of 2005.

Motion seconded by Patricia Wagner.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Yes		<b>Motion carried</b>

Avera McKennan: Muriel Larson and Nancy Thaler of Avera McKennan were present. Nancy Bohr gave a brief background; Muriel discussed how the program reaches out to rural areas. It is a rigorous program, with good evaluations by students, who speak highly of the experience. Student-Mentor relationships are working well. A few ordinary issues have arisen, and are always dealt with quickly. Dells, Flandreau, all branches of Avera McKennan are included within this program, and Prince of Peace has been exploring the possibility of becoming involved. Last year 35 enrolled; the number is expected to be the same this year.

MOTION: Diana Berkland moved that South Dakota Board of Nursing accept the report from Avera McKennan for the 2004 Professional Development Practice Program, and recommend continuation of the Program for 2005.

Motion seconded by Teresa Disburg.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Yes		<b>Motion carried</b>

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THE BOARD MOVED INTO CLOSED SESSION FOR PURPOSES OF DISCIPLINE

THE BOARD MOVED INTO OPEN SESSION

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Deborah Woodward, RN, was scheduled for a 1:00 p.m. Formal Hearing, and was sent notification, but has not responded and did not appear. Nancy Bohr shared background on this case with the Board.

MOTION: June Larson moved that the South Dakota Board of Nursing place an Indefinite Suspension on the license of Deborah Woodward, RN, with continuation of terms and conditions as set forth in the original Stipulation.

Motion seconded by Christine Pellet.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

C.K., LPN Applicant, appeared before the Board. Nancy Bohr reviewed the case for the Board.

MOTION: June Larson moved that South Dakota Board of Nursing issue an unencumbered license to C.K., LPN Applicant.

Motion seconded by Christine Pellet.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Abstain
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

Jayne Parsons, RN: Nancy Bohr presented background; Ms. Parsons was present to speak to the Board and to answer questions posed by the Board.

MOTION: Robin York moved that South Dakota Board of Nursing mandate Jayne Parsons, RN, to three years Probation with terms and conditions stipulated by HPAP, with the option to petition for Early Closure after two years.

Motion seconded by Christine Pellet.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Abstain	Donald Simmons	No	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

P.K., LPN Applicant: Nancy Bohr presented background; P.K. was present to address the Board and to answer questions posed by members.

MOTION: Diana Berkland moved that South Dakota Board of Nursing grant LPN licensure to P.K., contingent upon submission of satisfactory employment, school, and court records consistent with history as explained by P.K. A criminal background check will also be conducted by the South Dakota Board of Nursing.

Motion seconded by Patricia Wagner.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

Teri Baldwin, RN: Gloria Damgaard shared that the initial complaint against this nurse was received by this office yesterday.

MOTION: Diana Berkland moved that the South Dakota Board of Nursing institute a Summary Suspension of RN license until due process is completed with further action as indicated with investigation for Teri Baldwin, RN.

Motion seconded by Patricia Wagner.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Yes		<b>Motion carried</b>

Phyllis Aune, RN: Background on this case was presented by Mike Coley, HPAP Director

MOTION: Deb Soholt moved that South Dakota Board of Nursing approve the Stipulation and Order with 3 year Probation, with option for early closure at 2 years if in compliance with Probation and HPAP for Phyllis Aune, RN.

Motion seconded by Christine Pellet.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet		Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Yes		<b>Motion carried</b>

Katrina Cline, RN: Nancy Bohr presented background on this case.

MOTION: Robin York moved that the South Dakota Board of Nursing mandate Katrina Cline, RN, to mandatory participation in HPAP.

Motion seconded by Christine Pellet.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Yes		<b>Motion carried</b>

Christina Fergen: Linda Young presented background on this case to the Board.

MOTION: June Larson moved that Christina Fergen be mandated to complete a three year Probation with terms and conditions mandated through HPAP, with option for Early Closure.

Motion seconded by Diana Berkland.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Abstain		<b>Motion carried</b>

Jay Goehring, LPN: A temporary Summary Suspension is already in effect against this license.

MOTION: Diana Berkland moved that South Dakota Board of Nursing notice Jay Goehring, LPN, for a Formal Hearing at the November 2004 Board Meeting.

Motion seconded by Patricia Wagner.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Yes		<b>Motion carried</b>

Amber Grassi: Linda Young shared background on this case with the Board.

MOTION: Deb Soholt moved that the South Dakota Board of Nursing issue a Summary Suspension and notice of Formal Hearing to Amber Grassi.

Motion seconded by Robin York.

Diana Berkland	Abstain	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Yes		<b>Motion carried</b>

M.L.: Nancy Bohr presented background on the case.

MOTION: Robin York moved that the South Dakota Board of Nursing order M.L. for a chemical dependency evaluation with a psychiatrist or a board certified addictionologist.

Motion seconded by June Larson.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Yes		<b>Motion carried</b>

C.R., RN: Nancy Bohr presented background on this case.

MOTION: Deb Soholt moved that South Dakota Board of Nursing dismiss the complaint on C.R., RN.

Motion seconded by Robin York.

Diana Berkland	Yes	June Larson	Abstain	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Yes		<b>Motion carried</b>

Tim Ripley, RN: Nancy Bohr presented background on this request for early closure of probation.

MOTION: Robin York moved that South Dakota Board of Nursing grant Early Closure of Probation for Tim Ripley, RN.

Motion seconded by Christine Pellet.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

Lita Running Hawk, RN: Nancy Bohr shared background on this case with the Board.

MOTION: June Larson moved that the South Dakota Board of Nursing approve the Summary Suspension for Lita Running Hawk, RN, and send to her a notice of Formal Hearing.

Motion seconded by Patricia Wagner.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

William Steurman: Gloria Damgaard shared background on this case with the Board.

MOTION: Patricia Wagner moved that South Dakota Board of Nursing accept the Voluntary Surrender of license of William Steurman.

Motion seconded by Robin York.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

C.D., LPN: Nancy Bohr presented background on this Request to Practice Nursing in South Dakota. This nurse holds licensure in Nebraska, lives near the South Dakota border with Nebraska, and works in South Dakota under the Nurse Licensure Compact. Due to the probationary status of her Nebraska nursing license, under Compact rules, C.D. must obtain permission to practice nursing in South Dakota from this Board.

MOTION: Robin York moved that the South Dakota Board of Nursing send a letter of approval for C.D., LPN to practice nursing in South Dakota.

Motion seconded by Patricia Wagner.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

K.D., RN: Nancy Bohr shared background on this case with the Board.

MOTION: Patricia Wagner moved that South Dakota Board of Nursing send a Letter of Concern to K.D., RN.

Motion seconded by Robin York.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

M.G., RN: Nancy Bohr presented background on this Lapsed License.

MOTION: Diana Berkland moved that South Dakota Board of Nursing send a Letter of Concern to M.G., RN, for practicing with a lapsed license.

Motion seconded by Teresa Disburg.

Diana Berkland	Yes	June Larson	Abstain	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	No	Robin York	Yes
Doris Dufault	Absent	Deb Soholt			<b>Motion carried</b>

D.L., RN: Nancy Bohr presented background on this Lapsed License.

MOTION: Patricia Wagner moved that South Dakota Board of Nursing send D.L., RN, a Letter of Concern.

Motion seconded by Christine Pellet.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	No	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

H.N.: Nancy Bohr presented background on this Lapsed License. Discussion was also led by Donald Simmons concerning how best to ensure that lapsed license cases are dealt with fairly and equally. Diana Berkland volunteered to research Best Practices in this matter.

MOTION: June Larson moved that South Dakota Board of Nursing send a Letter of Concern to H.N. for a lapsed license.

Motion seconded by Christine Pellet.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

T.S., LPN: Nancy Bohr presented background on this case.

MOTION: Patricia Wagner moved that South Dakota Board of Nursing send T.S., LPN a Letter of Concern.

Motion seconded by Christine Pellet.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

E.T., LPN: Nancy Bohr presented background on this case.

MOTION: Christine Pellet moved that South Dakota Board of Nursing issue a Letter of Concern to E.T., LPN for practicing on a lapsed license.

Motion seconded by Robin York.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	No	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

Rescind Letter of Reprimand: Nancy Bohr shared that Kathryn Dean, RN, and Timothy White, RN, had only recently taken advantage of the Board's offer to rescind specific Letters of Reprimand.

MOTION: Robin York moved that the South Dakota Board of Nursing rescind the Letters of Reprimand for lapsed licenses for Kathryn Dean, RN, and Timothy White, RN.

Motion seconded by Patricia Wagner.

Diana Berkland	Yes	June Larson	Yes	Patricia Wagner	Yes
Linda Bunkers	Yes	Christine Pellet	Yes	Nancy Wahlstrom	Absent
Teresa Disburg	Yes	Donald Simmons	Yes	Robin York	Yes
Doris Dufault	Absent	Deb Soholt	Absent		<b>Motion carried</b>

Advanced Practice Advisory Committee: Linda Young shared with the Board that one CNM member and one CNP member are to be appointed to the Committee. Applications for the two positions were reviewed. MOTION: Robin York moved that the South Dakota Board of Nursing appoint Teri VanderStowe, CNM, MSN and Kathy Zambo, CNP to the Advanced Practice Nursing Advisory Committee. Motion seconded by Diana Berkland. The motion carried in a unanimous voice vote.

Board Committees: Gloria Damgaard shared that traditional standing Board Committees are being reestablished, and Board members identified their interest as follows:

Personnel Committee: Linda Bunkers, Donald Simmons, Robin York, Patricia Wagner

Finance Committee: Diana Berkland

Strategic Plan Committee: June Larson, Diana Berkland, Christine Pellet

The Executive Secretary will assign the committee membership based on interest.

Policy for Inactive Status/Lapsed License: Gloria Damgaard reviewed for the Board the current policy concerning lapsed licensees who wish to move their status to inactive. The licensee must pay a reinstatement fee, a renewal fee, and then the \$10 inactive status fee. Many nurses consider this excessive, and leave the license in lapsed status. Because it is considered preferable that the license be moved to inactive status, Board staff proposes adopting a new policy; the proposed policy change will not pertain to nurses who have practiced under a lapsed license.

MOTION: Robin York moved that the South Dakota Board of Nursing adopt the policy of assessing those individuals with lapsed licenses only the fee for inactivating a license when converting a lapsed license to inactive status.

Motion seconded by Christine Pellet. The motion carried in a unanimous voice vote.

#### ANNOUNCEMENTS

Next Board Meeting: November 18-19, 2004

Western Dakota Technical Institute Site Visit: September 21-22, 2004

CLEAR Conference: September 26-30, 2004; Gloria Damgaard, Nancy Bohr, and Linda Young will attend training sessions.

Nurse Licensure Compact Administrators (NLCA) Summit: December 5-7, 2004.

ADJOURNMENT: 4:20 P.M.