SOUTH DAKOTA BOARD OF NURSING

IN THE MATTER OF THE LICENSURE PROCEEDINGS

RE: SUSAN A. SHUTT, RN

License No. R-028716

Licensee.

The South Dakota Board of Nursing’s Order Denying Renewal of License of Susan A. Shutt, RN, License No. R-028716 (“Licensee”), came on for hearing before the South Dakota Board of Nursing (“Board”) at its offices in Sioux Falls, South Dakota, on November 14, 2005, at 3:30 p.m. Licensee, having received notice of the hearing, and having been given the opportunity to confront Board witnesses and to present evidence on her behalf, did not appear in person or by attorney. The Board appeared by and through its attorney, Kristine Kreiter O’Connell.

The Board considered the evidentiary documents, the Order Denying Renewal of License, and other documents on file in this case, and being charged with 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, the Board hereby makes the following
FINDINGS OF FACT

1. That Susan A. Shutt is licensed to practice as a registered nurse in the state of South Dakota and holds License No. R-028716.

2. That on or about May 6, 2005, Licensee submitted an application for renewal of her license. The renewal application could not be processed by the Board as it did not include a renewal fee nor a completed verification of employment.

3. In the application, Licensee disclosed a narcotic violation involving a prescription for hydrocodone that occurred on or about June, 2003.

4. In the application, Licensee revealed that she had received a suspended imposition of sentence with probation on criminal charges arising out of the narcotic violation.

5. Because of the self-report of a narcotic violation, Licensee was scheduled to meet with the Board’s staff for an Informal Meeting on July 6, 2005.


7. Licensee has not responded to subsequent contacts by the Board staff.

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

CONCLUSIONS OF LAW

1. That 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. Licensee’s conduct as identified in the Findings of Fact are in violation of
SDCL § 36-9-49(4)(7) and (10).

3. That ARSD 20:48:04:01(1)(d) provides that the Board recognizes the 
Statement, 1985, published by the American Nurses Association as criteria for assuring 
safe and effective practice following licensure. The Code of Ethics requires an RN to 
function within an established legal guideline and uphold the basic standards of nursing 
practice.

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 Licensee’s request for renewal to practice nursing in the State of South 
Dakota is hereby denied.

2. That Licensee may petition pursuant to SDCL § 36-9-57 for reinstatement 
of her license at any time for “good cause.”

3. That Licensee is hereby notified that any practice as or holding herself out 
as a registered nurse is a violation of SDCL § 36-9-68.

Dated this 16th day of November, 2005.

SOUTH DAKOTA BOARD OF NURSING
The above Findings of Fact and Conclusions of Law and Order were adopted by the South Dakota Board of Nursing on the 14th day of November, 2005, by a vote of __10-0__. 

Dated this 21st day of November, 2005.

SOUTH DAKOTA BOARD OF NURSING

Gloria Damgaard, Executive Secretary