

**SOUTH DAKOTA BOARD OF NURSING**

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IN THE MATTER OF THE LICENSURE :  
PROCEEDINGS :

RE: LYNDA D. WOLLMAN, R.N. : **VOLUNTARY SURRENDER**  
 : **CONSENT ORDER**

License No. R021423, :  
Licensee. :

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WHEREAS, Lynda D. Wollman, R.N. (“Licensee”), is licensed to practice as a registered nurse in the State of South Dakota and holds License number R021423; and

WHEREAS, the South Dakota Board of Nursing (“Board”) at its November 20, 2009 board meeting ordered said Licensee to undergo a chemical dependency evaluation and to follow through with any recommendations based on the result of said examination. Said evaluation followed a complaint from the Licensee’s employer regarding practice issues and possible substance use while she was employed. Moreover, Licensee had been a participant in the Health Professionals Assistance Program (“HPAP”) from June 2005 through August 2008. Licensee admits to a relapse, including a DUI, while in HPAP, as well as a relapse following her release from that program.

On December 11, 2009, Licensee met with the Avera Addiction Recovery Program for the completion of substance abuse evaluation procedures. Based upon information obtained in the assessment, Licensee met DSM IV criteria for the diagnosis of Alcohol Dependence, Sustained Full Remission. Licensee denied any use of alcohol since 2007,

which was contradictory to her admission of relapse to the Board.

The Avera Addiction Recovery Program professional recommended that Licensee complete a psychological testing process and be compliant with the doctor's recommendations. He has also requested permission to confirm information about Licensee's level of involvement with AA attendance and her inter-related work with her AA sponsor. He also requested that Licensee submit to a drug screen, as such testing has not recently been conducted.

Licensee does not wish to follow through with said recommendations nor does she wish to re-enroll in the HPAP program; and

WHEREAS, Licensee has agreed that she would surrender her South Dakota nursing license; and

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

WHEREAS, Licensee agrees that the matters under investigation would be of a nature that would constitute grounds for the discipline of her license to practice nursing in South Dakota under SDCL § 36-9-49; and

WHEREAS, the Licensee agrees that she enters into this Voluntary Surrender Consent Order voluntarily and without duress or compulsion, in full understanding of the legal consequences of this document and her rights; therefore,

IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Voluntary Surrender Consent Order.

2. That the South Dakota Board of Nursing (“Board”) at its November 20, 2009 board meeting ordered said Licensee to undergo a chemical dependency evaluation and to follow through with any recommendations based on the result of said examination. Said evaluation followed a complaint from the Licensee’s employer regarding practice issues and possible substance use while she was employed. Moreover, Licensee had been a participant in the Health Professionals Assistance Program (“HPAP”) from June 2005 through August 2008. Licensee admits to a relapse, including a DUI, while in HPAP as well as a relapse following her release from that program.

On December 11, 2009, Licensee met with the Avera Addiction Recovery Program for the completion of substance abuse evaluation procedures. Based upon information obtained in the assessment, Licensee met DSM IV criteria for the diagnosis of Alcohol Dependence, Sustained Full Remission. Licensee denied any use of alcohol since 2007, which was contradictory to her admission of relapse to the Board.

The Avera Addiction Recovery Program professional recommended that Licensee complete a psychological testing process and be compliant with the doctor’s recommendations. He has also requested permission to confirm information about Licensee’s level of involvement with AA attendance and her inter-related work with her AA sponsor. He also requested that Licensee submit to a drug screen, as such testing has not recently been conducted.

Licensee does not wish to follow through with said recommendations nor does she wish to re-enroll in the HPAP program, and now intends to leave the profession of nursing as a registered nurse.

3. That the Licensee has been given an opportunity to discuss this Voluntary Surrender Consent Order with an attorney of Licensee's choice, and is aware of her right to a hearing in this matter, and of her 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 also agrees that the Board's Executive Director or her designee may present this Voluntary Surrender Consent Order to the Board and disclose to the Board all items of her investigation, including, but not limited to, any communications with Licensee.

4. That the Licensee's license to practice nursing in South Dakota and her privilege to practice nursing pursuant to the Nurse Licensure Compact shall be surrendered and the Board shall suspend said license for an indefinite period from the date of this Order. Licensee may apply to have her license reinstated for good cause shown.

5. That nothing in this Voluntary Surrender Consent Order should imply that the Licensee shall be reinstated. Licensee recognizes that the reinstatement terms, as well as the requirements for reinstatement, are at the sole discretion of the Board.

6. That if the Licensee requests reinstatement, Licensee has the burden of presenting information showing that Licensee's license should be reinstated.

7. That it is further stipulated and agreed that this Voluntary Surrender Consent Order is being entered into voluntarily by the Licensee and without threats or coercion and is entered into after the Licensee has been given ample opportunity to consider these matters and to discuss this Voluntary Surrender Consent Order with an attorney of Licensee's choice and that the Licensee has a full understanding of the legal consequences of this Voluntary Surrender Consent Order and of the Licensee's rights to a formal hearing on these matters, which rights are hereby waived by the signing of this Voluntary Surrender Consent Order.

8. This action is reportable discipline and will be published in the Board's Newsletter and posted on its web site and reported into the Healthcare Integrity and Protection Data Bank (HIPDB) and National Practitioner Data Bank (NPDB) as required by law.

9. That the Board may enter an Order consistent with the terms of this Stipulation.

NOW, THEREFORE, the foregoing Voluntary Surrender Consent Order is entered into and is respectfully submitted to the Board with the request that the Board adopt its terms as an Order of the Board in the above matter.

Dated this ~~25~~ day of \_\_\_\_\_, 2010.

June 25 2010

Lynda D Wollman  
Lynda D. Wollman, R.N., Licensee

2nd time sending this, due not call  
me again

The South Dakota Board of Nursing meeting on the 30<sup>th</sup> day of June, 2010.

(approved) (rejected) the attached Voluntary Surrender Consent Order (as written) (with  
the following modifications):

and issued its Order as follows:

IT IS HEREBY ORDERED that the above Voluntary Surrender Consent Order is  
adopted as shown herein by the South Dakota Board of Nursing this 30<sup>th</sup> day of June,  
2010, by vote of 7-0.

Gloria Damgaard  
Gloria Damgaard, Executive Director  
South Dakota Board of Nursing