SOUTH DAKOTA BOARD OF NURSING
DEPARTMENT OF COMMERCE AND REGULATION
3307 S. Lincoln Ave.
Sioux Falls, South Dakota 57105-5224
Phone: 605-367-5940

FILE COPY

November 17, 1995

Jacqueline Woolworth, LPN
1501 East Nye, #4
Sioux Falls, SD 57103

Dear Jackie:

The South Dakota Board of Nursing met in Sioux Falls on November 15-16, 1995 and considered your request for closure of the terms of probation, as set forth in the Stipulation and Order dated April 13, 1994. The Board moved to approve your request by a vote of 9-Yes and 2-Absent. Please return your current renewal certificate and a new certificate will be issued reflecting an active and unrestricted license to practice practical nursing.

On behalf of the Board of Nursing, I would like to congratulate you and wish you the very best as you pursue new opportunities in your nursing career. I would be glad to provide a reference or speak with potential employers if you would so desire.

Sincerely,

Mona Hohman

Mona Hohman, RN
Nursing Practice Specialist

SOUTH DAKOTA BOARD OF NURSING

* * * * * * * * * * * * * * * * * *

IN THE MATTER OF THE
LICENSURE PROCEEDINGS

RE: JACQUELINE L. WOOLWORTH, L.P.N.
License No. P-005246

STIPULATION AND ORDER

Licensee.

* * * * * * * * * * * * * * * * * *

WHEREAS, Jacqueline L. Woolworth, L.P.N., ("Licensee"), is licensed to practice as a licensed practical nurse in the State of South Dakota and holds License number P-005246; and

WHEREAS, Licensee's nursing license has lapsed and she has requested that the Board reinstate her lapsed nursing license; and

WHEREAS, Licensee voluntarily surrendered her license in North Carolina for theft of a controlled substance (Demerol) in September of 1988; and such conduct was inconsistent with the health or safety of the persons entrusted to her care, was unprofessional and violates the statutes and rules regulating the practice of nursing and is a violation of SDCL 36-9-49(5), (6), (7) and (10); and

WHEREAS, the Board additionally may require a lapsed Licensee requesting reinstatement to show evidence of her current nursing knowledge and skill before reinstating her status of practicing nurse; and

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

MICROFILM CERTIFICATE OF AUTHENTICI

WHEREAS, the South Dakota Board of Nursing (hereinafter "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, in the event the Board, in its discretion, does not approve this settlement or a lesser remedy than indicated in this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party. Licensee agrees that if the Board rejects this Stipulation and this case proceeds to hearing, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or any of the records or information relating hereto; now, therefore,

IT IS HEREBY ORDERED,

1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Stipulation.

2. Licensee voluntarily surrendered her license in North Carolina for theft of a controlled substance (Demerol) in September of 1988; and such conduct was inconsistent with the health or safety of the persons entrusted to her care, was unprofessional and violates the statutes and rules regulating the practice of nursing and is a violation of SDCL 36-9-49(5), (6), (7) and (10); and

3. The Licensee has been given an opportunity to discuss this Stipulation and Order with an attorney of Licensee's choice,

STATE OF SOUTH DAKOTA MICROFILM CERTIFICATE OF AUTHENTICITY

and is aware of Licensee's right to a hearing in this matter, 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 and 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.

4. That the Licensee's license to practice nursing in South Dakota is placed upon a probationary status for a period of eighteen (18) months of active practice as a nurse and employment in nursing practice from the date of this Order being approved by the Board, which probationary terms and conditions shall be completely followed by the Licensee as follows:

C O N D I T I O N S:

1. If the Licensee continues counseling, the counselor shall submit reports to the Board quarterly the first year and every six months thereafter. The report shall provide and/or address:

   a) Verification that the counselor has seen a copy of the Stipulation and Order.

   b) Diagnosis and any treatment plan;

   c) Licensee's sobriety status, if applicable;

   d) Licensee's ability to handle stress;

   e) Licensee's ability to practice as a professional nurse;

CERTIFICATE OF AUTHENTICITY

f) Any other information which the counselor believes would assist the Board in its ultimate review of the case.

2. Licensee will notify the Board of any employment in the healthcare field, including changes in employment. Furthermore, the Licensee will inform any current or prospective employer with whom she seeks employment as a nurse, as to the subject matter and the nature of the proceedings and the Stipulation, and would further agree that any such employer would, during the first year of probation, be required to provide quarterly reports to the Board as to her progress as an employee, and during the balance of the probationary period provide reports on a basis of every six (6) months. The reports shall provide and/or address:

   a) In the first report, evidence that Licensee's supervisor has received a copy of the order within ten (10) days of service or within ten (10) days of Licensee beginning a new employment;

   b) Licensee's attendance and reliability;

   c) Licensee's ability to practice nursing;

   d) Licensee's ability to carry out assigned functions; including the handling of controlled substances, decision-making skills and clinical judgment;

   e) Licensee's ability to handle stress;

   f) Licensee's sobriety, if applicable;

   g) Number of hours Licensee worked during the reporting period;

   h) Any other information which the supervisor believes would assist the Board in its ultimate review of the case.

3. Licensee shall not be employed by a temporary agency.

4. Licensee shall observe the following employment restrictions:

   a) May only administer controlled substances under direct supervision of another nurse for six (6) months; and

   b) May not hold a charge or supervisory position for six (6) months.

5. Licensee shall arrange with the Board staff probationary meetings once every three (3) months during the first year of probation. Thereafter, probationary meetings will be arranged by the Licensee every six (6) months for the balance of the

STATE OF SOUTH DAKOTA MICROFILM CERTIFICATE OF AUTHENTICITY

probationary period. It will be the obligation of the Licensee to schedule these meetings at such time and place as the Board staff would reasonably designate.

Furthermore, the Licensee will submit a self-evaluation report to the Board office prior to each probationary meeting. The report shall provide and/or address:

a) Licensee's ability to provide patient care in a safe and effective manner, including clinical judgment skills, crises management and ethical decision making;

b) Licensee's participation in a rehabilitation program, if applicable. Documentation shall include attendance and participation, family support and problem areas addressed;

c) Licensee's professional employment status, including employer support, peer support, ability to handle stress and management of medication administration;

d) Licensee's future professional goals for nursing;

e) Licensee's future personal goals; and

f) Any other information which the Licensee believes would assist the Board in it's ultimate review of the case.

6. That during the period of probation, the Licensee will submit to such testing of body fluids, on a random basis, as may reasonably be requested by the Board within four (4) hours of the request, with the understanding that if such tests would ever indicate the use of a non-prescribed controlled substance or alcohol, that the Licensee would then agree to a total and complete revocation of her licensing rights as a nurse in South Dakota. The blood and/or urine screens shall be:

a) Observed in their drawing;

b) Handled through legal chain of custody methods;

c) Paid for by Licensee;

d) Results reported directly to the Board.

Testing must meet forensic compliance panel standards and include testing for the Licensee's drug of choice, Amphetamines, Barbituates, Cocaine, Opiates, Benzodiazepines, Cannabinoids, Alcohol, Methadone and Propoxyphene.

7. Licensee shall complete a Board-approved refresher course prior to reinstatement of her nursing license.

STATE OF SOUTH DAKOTA MICROFILM CERTIFICATE OF AUTHENTICITY

8. Licensee shall at any time during the period of probation, report in person to such meetings of the Board or to its designated representatives as directed and otherwise fully cooperate with the Board or its representatives in the terms of this probation.

9. Licensee shall not violate any law or regulation regarding the practice of nursing.

10. Licensee shall execute all release of information forms as may be required by the Board or its designee.

11. Licensee's current renewal certificate shall be stamped "PROBATION," for the duration of the probationary period.

12. Licensee shall notify the Board, in writing, within one (1) week of any change in nursing employment, personal address and/or telephone number.

13. Licensee shall pay for all costs and expenses in carrying out any conditions of the probation.

14. Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, they must first be approved by the Board prior to leaving the state. If Licensee fails to receive such approval before leaving the state, none of the time spent out-of-state will be credited to the fulfillment of the terms and conditions of this Order.

15. The Licensee may petition the Board for early closure or reconsideration of the terms of the probationary agreement after one (1) year of successful completion of the terms outlined in this Order.

16. In the event that the Licensee does not work in nursing within two (2) years of the effective date of the Order, Licensee may petition the Board for reevaluation of the probationary conditions.

17. If any condition of this probation is violated, the Licensee agrees that the Board may take such actions as the Board deems necessary up to and including a total and complete revocation of Licensee's licensing rights as a nurse in South Dakota.

18. If Licensee obtains a license issued solely or under joint regulatory powers by the Board other than the license to which this Stipulation refers in the above-captioned paragraphs, at any time during the period of probation, the terms of this probation shall apply to the other or additional license(s) issued by the Board.

STATE OF SOUTH DAKOTA MICROFILM CERTIFICATE OF AUTHENTICITY

5. It is further stipulated and agreed that this Stipulation 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 Stipulation with an attorney of her choice and that the Licensee has a full understanding of the legal consequences of this Stipulation and of the Licensee's rights to a formal hearing on these matters, which rights are hereby waived by the signing of this Stipulation.

NOW, THEREFORE, the foregoing Stipulation and 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 1st day of April, 1994.

Jacqueline L. Woolworth, Licensee

Jacqueline L. Woolworth, Licensee

The South Dakota Board of Nursing meeting on the 13th day of April, 1994, (approved) (rejected) the attached Stipulation (as written) (with the following modifications):

STATE OF SOUTH DAKOTA MICROFILM CERTIFICATE OF AUTHENTICITY

THIS IS TO CERTIFY THAT THE MICROGRAPHIC IMAGE APPEARING ON THIS SLIDE OF THE FILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SECTION 1-27-4 OF THE SOUTH