

SOUTH DAKOTA BOARD OF NURSING

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JUL 16 2002

SD BOARD OF NURSING

**IN THE MATTER OF THE
LICENSURE PROCEEDINGS**

RE: Pamela M. Left Hand Bull, RN

STIPULATION AND ORDER

License No. R031973

Licensee.

WHEREAS, PAMELA M. LEFT HAND BULL, R.N., ("Licensee"), holds a license to practice as a registered nurse in the State of South Dakota (License number R031973); and

WHEREAS, Licensee, during the course of her employment at the Cherry County Hospital in Valentine, Nebraska, during the period of December 20, 2001, through approximately April 4, 2002, failed to demonstrate competency in performing assigned nursing tasks including medication administration, patient assessments and critical thinking skills, thus violating SDCL 36-9-49 (5),(7) and (10), and that such conduct evidenced acts and omissions which were inconsistent with the health or safety of persons entrusted to her care, violated provisions of the rules and statutes regulating the practice of nursing, and would be unprofessional.

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

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, the Licensee has requested the Board's Executive Secretary to present this Stipulation to the Board for action and recognize that the Board may approve this Stipulation, reject it, or modify it; 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discretion, does not approve this settlement or a lesser remedy than indicated in this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party.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 prejudice by its review and discussion of this Stipulation or any of the records or information relating hereto; and

WHEREAS, the Licensee has expressed a desire to resolve this matter without the necessity of additional formal disciplinary proceedings and hearings; and

WHEREAS, on June 13, 2002, Licensee and staff of the South Dakota Board of Nursing entered into an agreement wherein Licensee voluntarily agreed to refrain from any nursing practice in any state until such time as this matter was resolved, and this stipulation and order is intended to resolve this matter;

WHEREAS, it is the intent of this Stipulation to provide for a settlement of the licensing issues presented by the Licensee's conduct, in a professional manner, without the necessity of further hearings and proceedings herein, and to provide for a responsible solution; now, 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 Stipulation.
2. The Licensee, during the course of her employment at the Cherry County Hospital in Valentine, Nebraska, during the period of December 20, 2001, through approximately April 4,

2002, failed to demonstrate competency in performing assigned nursing tasks including medication administration, patient assessments and critical thinking skills, thus violating SDCL 36-9-49 (5), (7) and (10), and that such conduct evidenced acts and omissions which were inconsistent with the health or safety of persons entrusted to her care, violated provisions of the rules and statutes regulating the practice of nursing, and would be unprofessional.

3. The Licensee has been given an opportunity to discuss this Stipulation with an attorney of Licensee's choice, 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 voluntarily and without duress or compulsion. Licensee also agrees that the Board's Executive Secretary 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. Licensee's license to practice nursing is placed upon a probationary status for a period of thirty six (36) months of employment in nursing practice from the date of this Stipulation being approved by the Board, which probationary terms and conditions shall be completely followed by the Licensee as follows:

CONDITIONS:

1. That the Licensee will notify the Board of any employment in nursing, 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. Licensee would further agree that any such employer would during the first year of probation, provide quarterly written reports to the Board as to his progress as an