

**SOUTH DAKOTA BOARD OF NURSING**

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IN THE MATTER OF THE LICENSURE  
PROCEEDINGS :

RE: WYLIE L. BARNES, RN : **AGREED UPON DISPOSITION FOR**  
License No.: R033181, : **ORDER OF REINSTATEMENT**  
 : **WITH MANDATED HPAP**  
Licensee. :

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WHEREAS, Wylie L. Barnes, RN (“Licensee”), was licensed to practice as a registered nurse in the State of South Dakota and held license number R033181; and

WHEREAS, on or about January 2, 2015, the Licensee signed a Participation Agreement with the Health Professionals Assistance Program (“HPAP”) arising out of his habitual use of alcohol. Despite his efforts, Licensee was unsuccessfully discharged from HPAP on or about September 8, 2015, and asked to voluntarily surrender his license at that time; and

WHEREAS, on or about October 1, 2015, the Licensee entered into a Voluntary Surrender Consent Order. Said Voluntary Surrender Consent Order did not preclude the Licensee from requesting reinstatement upon a showing of good cause; and

WHEREAS, Licensee made a reinstatement request in writing dated October 20, 2017, at which time the matter of Licensee’s reinstatement was presented to the Board. The Licensee also submitted an evaluation report from HPAP evidencing his participation, as well as his return to practice criteria outlined by HPAP; and

WHEREAS, the Board has considered the Licensee's request, the documents submitted, and being fully advised in the premises;

NOW THEREFORE IT IS HEREBY ORDERED:

1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Order.
2. That the Licensee's license to practice as a registered nurse in the State of South Dakota is hereby reinstated.
3. The Board hereby mandates Licensee's continued participation in HPAP.
4. All terms and conditions as well as clearance to return to employment and any restrictions on access to narcotics shall be set by the HPAP, and the Licensee shall fully comply with all of those terms and conditions.
5. Additionally, Licensee shall comply with the following conditions during the term of this order:

**CONDITIONS**

1. Licensee shall at any time during the term of this order report in person to such meetings of the Board or to its designated representative as directed and otherwise fully cooperate with the Board or its representatives in terms of this order.
2. The Licensee shall notify the Board, as well as the HPAP, in writing, within one (1) week of any change in nursing employment, personal address, and/or telephone number.
3. Licensee shall pay for all costs and expenses in carrying out conditions of HPAP.

4. That following completion of the application for reinstatement, the Licensee shall be issued his RN license by the Board office.

5. During the term of this order, the Licensee is to immediately inform the Board of the outcome of any criminal charges presently or hereafter pending against the Licensee, and whether the Licensee has been convicted, pled no contest, *nolo contendere*, pled guilty to or been granted a deferred judgment or adjudication, suspended imposition of sentence with respect to a felony, misdemeanor or petty offense, other than minor traffic violations, that have not previously been reported to the Board.

6. If the Licensee violates any terms of this order, the Board may take such action against Licensee's license as the Board deems necessary, up to and including an immediate suspension, additional terms, revocation, or other disciplinary action.


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

8. The Licensee shall not practice nursing in any state other than South Dakota, which is a party state to the Nurse Licensure Compact, without prior written authorization from both the Board and the Nursing Regulatory Authority in the party state in which the Licensee desires to practice.

9. This order also affects Licensee's practice privilege to practice in South Dakota should Licensee change his home state under the Nurse Licensure Compact and Licensee's practice privilege is subject to the same requirements set forth in this order as his South Dakota license.

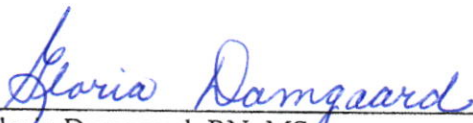
Agreed Upon Disposition for Order of Reinstatement with Mandated HPAP  
Licensee: Wylie L. Barnes

Dated this 6 day of December, 2017.

  
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Wylie L. Barnes

IT IS HEREBY ORDERED that the above Order of Reinstatement with Mandated HPAP was adopted by the South Dakota Board of Nursing on the 16<sup>th</sup> day of November, 2017, by a vote of 10-0.

SOUTH DAKOTA BOARD OF NURSING

  
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Gloria Damgaard, RN, MS  
Executive Director