

WHEREAS it is the intent of this Stipulation to provide for a disposition of the licensing issues presented by the Licensee's conduct, in a professional manner, without the necessity of further hearings and proceedings hereon, and to provide for a responsible resolution.

NOW, THEREFORE, it is hereby stipulated and agreed as follows:

1. That the Board has jurisdiction over the Licensee and the subject matter;
2. The Licensee admits and agrees that storage of patient medication in her home, in one or more respects, is inconsistent with her independent duties and obligations as a Licensed Practical Nurse to adhere to the highest standards for patient care, even if such practice was established by her employer's policies and practices regarding patient medication handling, storage, and transportation;
3. The Licensee admits and agrees that she possesses independent duties and obligations as a Licensed Practical Nurse, which includes, but is not limited to, a duty to adhere to the highest standards for patient care and to not categorically rely upon and follow her employer's policies and practices when discrepancies may be reasonably and objectively obvious;
4. The Licensee admits and agrees that her employer's policies and practices regarding patient medication handling, storage, and transportation could have resulted in patient medications becoming lost, missing, or not being timely and properly administered. Licensee, however, denies that any patient medications were ever lost, missed, or not timely and properly administered;
5. Following receipt of the complaint and allegations in this matter, the Licensee's

employer changed its policies and practices regarding patient medication handling, storage, and transportation, and there is no longer the potential risk of lost, missing, or medications not being properly and timely administered;

6. The Licensee recognizes and admits that through a formal contested case proceeding, grounds would exist for imposing discipline against her if the Board meets its burden of proof; and

7. The Licensee understands that Licensee has a right to a contested case hearing pursuant to SDCL Chapter 1-26 regarding this matter and that such rights include, but are not limited to, the right to be present at the contested case hearing, the right to be represented by legal counsel, to introduce evidence and testimony on Licensee's behalf, to call witnesses, to cross examine witnesses, and to inspect all documentary evidence submitted to the Board and to appeal the Board's decision to South Dakota Circuit Court and Supreme Court as provided by law.

8. By entering into this agreed-upon disposition with the Board, the Licensee hereby knowingly and voluntarily waives the above rights. The Licensee has been given the opportunity to discuss this agreed-upon disposition with an attorney of Licensee's choice and is aware of her rights as outlined herein. Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or other rights. Licensee is entering into this agreed-upon disposition voluntarily and without duress or compulsion. The Board and the Licensee hereby agree that this matter will be resolved according to the disciplinary procedures outlined in ARSD 20:48:08:12(3), through the issuance of a Letter of Reprimand.

Licensee: Erene Briese, LPN
DOH 18-17

9. Licensee understands that this is final action and is reportable discipline which will be published in the Board's newsletter, posted on its website, and reported into the National Practitioner Data Bank (NPDB) as required by law. As this is a reportable discipline, Licensee is required to provide an affirmative response to inquiries of disciplinary action on further renewals and other nursing-related inquiries.

NOW, THEREFORE, the foregoing 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 and issue a Letter of Reprimand.

Dated this 3 day of June, 2019.


Erene Briese, LPN, P010374

Licensee: Erene Briese, LPN
DOH 18-17

The Board orders and determines that the Licensee and Board shall each be responsible for their own respective costs, expenses, and attorney's fees associated with this matter.

IT IS HEREBY ORDERED that the South Dakota Board of Nursing accepts, adopts, and incorporates Licensee's Stipulation for Letter of Reprimand the same as if all such terms were set forth herein.

Dated this 12th day of July, 2019.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, RN, MS
Executive Director