

SOUTH DAKOTA BOARD OF NURSING

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IN THE MATTER OF THE LICENSURE
PROCEEDINGS

:

RE: KARMYN B. GLUHM
f/k/a KARMYN KINDLE, RN,

:

**ORDER OF REINSTATEMENT
WITH MANDATED HPAP**

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License No. R041875,

:

Licensee.

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WHEREAS, Karmyn B. Gluhm, f/k/a Karmyn Kindle, RN (“Licensee”) was licensed to practice as a registered nurse in the State of South Dakota and held license number R041875; and

WHEREAS, on or about December 2010, Licensee was referred to the Health Professionals Assistance Program (“HPAP”) by the University of South Dakota School of Nursing due to Licensee having a drunk driving charge (first offense) in October 2010. The school required the Licensee to be involved in HPAP until graduation or May 2011. Licensee did not graduate as expected in May 2011; and

WHEREAS, on or about March 7, 2011, Licensee completed her substance use evaluation at Capital Area Counseling in Pierre. No diagnosis was made and she was recommended to abstain from all non-prescribed or mood altering substances and to complete a 12-hour driving under the influence class. Licensee began her participation in HPAP in May 2011. While there were compliance problems with HPAP, the Licensee continued her HPAP participation and continued with Capital Area Counseling. Licensee graduated from nursing school in May 2012; and

WHEREAS, after passing the NCLEX exam in 2012, Licensee became employed as an RN at St. Mary's Hospital and Healthcare Center as well as Kelly's Retirement Center in Pierre, South Dakota; and

WHEREAS, in August 2012, Licensee's compliance was again reviewed with HPAP and it was recommended that her participation be extended to a full year of compliance. On August 2, 2013, Licensee's drug screen was positive for Tramadol. There were no concerns with the Licensee's worksite monitor or her place of employment as this Tramadol was not diverted. Licensee's non-compliance with HPAP was reported to the South Dakota Board of Nursing ("Board") on November 14, 2013, and Licensee was issued a Letter of Concern with continued HPAP for a period of five (5) years. Licensee's license was restricted to a single-state license only; and

WHEREAS, in early January 2014, the Licensee's worksite monitor reported unreliability of the Licensee to the HPAP program. An improvement plan was put into place with no further indications of problems. However, on August 4, 2014, Licensee was out of compliance with HPAP in regard to her quarterly meetings. A second Letter of Concern was issued by the Board on December 11, 2014. Licensee was asked to voluntarily refrain from practice in January 2015; and

WHEREAS, in February 2015, Licensee was issued a letter discharging her from the HPAP program. In reviewing all of Licensee's quarterly reports, she had been non-compliant for nine out of thirteen quarters of her participation; and

WHEREAS, on June 11, 2015, following a due process hearing before the Board, the Licensee was suspended from nursing following the issuance of Findings of Fact, Conclusions of Law and Order of Suspension; and

WHEREAS, on or about August 16, 2018, the Licensee requested reinstatement, and submitted an evaluation report from HPAP evidencing her participation. The Licensee also provided documentation and a report from HPAP which supported her reinstatement request; 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: