

SOUTH DAKOTA BOARD OF NURSING

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IN THE MATTER OF THE REGISTRATION :
PROCEEDINGS :

RE: SHERRY THOMPSON, UMA :

**AGREED UPON DISPOSITION FOR
LETTER OF REPRIMAND AND
WAIVER OF HEARING**

Registration No. M008775, :

Registrant. :

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WHEREAS, Sherry Thompson (“Registrant”), is licensed to practice as a UMA in the State of South Dakota and holds Registration number M008775;

WHEREAS, the South Dakota Board of Nursing (“Board”) received a complaint alleging Registrant engaged in conduct in violation of SDCL § 36-9-49(5) and (10) by disrespecting or otherwise mistreating residents under her care;

WHEREAS, the Board has a statutory obligation to protect the public health, safety and welfare as set forth in SDCL § 36-9-1.1, including the protection of the public from unsafe or unprofessional nursing practices;

WHEREAS, the Registrant and the Board have agreed to resolve this complaint in the manner set forth in this agreed-upon disposition and waiver of hearing pursuant to ARSD 20:48:08:12(3); and

WHEREAS, it is the intent of this agreement to provide for a disposition of the registration issues presented by the Registrant’s conduct, in a professional manner, without the necessity of further hearings and proceedings herein, 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 person of the Registrant and the subject matter of this Order.

2. The Board asserts Registrant engaged in conduct in violation of SDCL § 36-9-49(5) and (10) when Registrant disrespected or otherwise mistreated residents under her care.

3. Registrant recognizes that this matter is of a nature that could constitute grounds for discipline of Registrant's registration to practice as an unlicensed medication aide in the State of South Dakota under SDCL § 36-9-49(5) or (10), but Registrant does not admit to any factual allegations underlying the complaint by entering into this Agreed Upon Disposition.

4. Registrant understands that Registrant has a right to a contested case hearing pursuant to SDCL Ch. 1-26 regarding this matter and that such rights under SDCL Ch. 1-26 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 Registrant'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 the South Dakota Circuit Court and Supreme Court as provided by law.

5. By entering into this agreed-upon disposition with the Board, the Registrant hereby knowingly and voluntarily waives the above rights.


6. The Registrant has been given the opportunity to discuss this agreed-upon disposition with an attorney of Registrant's choice and is aware of Registrant's rights as outlined above. Registrant hereby voluntarily waives all such rights to a hearing, notice, appearance, or other rights. Registrant is entering into this agreed-upon disposition voluntarily and without duress or compulsion.

7. The Board and the Registrant hereby agree that this matter will be resolved according to the disciplinary procedures outlined in ARSD 20:48:08:12(3), by the issuance of a Letter of Reprimand adopting this Agreed Upon Disposition.

8. Registrant 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, Registrant is required to provide an affirmative response to inquiries of disciplinary action on further renewals and other registrant related inquiries.

NOW, THEREFORE, the foregoing Agreed Upon Disposition for Letter of Reprimand and Waiver of Hearing 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 7 day of May, 2021.


Sherry Thompson, Registrant