

a single state RN license only with continued HPAP as adopted by the Board. The Order was adopted on April 17, 2015; and

WHEREAS, the Licensee was compliant with all of the terms and conditions of HPAP and maintained employment; and

WHEREAS, in December 2015, Licensee tested positive for Tramadol. HPAP was not aware of this prescription and Licensee, thus, was non-compliant with his Participation Agreement for not notifying HPAP within 24 hours; and

WHEREAS, on June 3, 2016, Licensee had a positive drug screen for Oxycodone for which he had no prescription. Based on that, Licensee signed a Voluntary Refrain from Practice; and

WHEREAS, on or about July 19, 2016, HPAP notified the Board of Licensee's unsuccessful discharge from HPAP; and

WHEREAS, on or about October 2016, the Licensee again voluntarily surrendered his nursing license following diversion of oxycodone and continued to work on his recovery; and

WHEREAS, on or about May 25, 2018, the Licensee made a reinstatement request in writing. The Licensee submitted an evaluation report from HPAP along with their letter of support for Licensee's RN reinstatement. HPAP reported completion of Dialectical Behavior Therapy ("DBT") by the Licensee. Licensee has also attended the HPAP support group and all of his monitoring screens have been negative. The Licensee appeared before the Board's Compliance Review Panel on June 14, 2018, and answered questions at that time; 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 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 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 will 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.

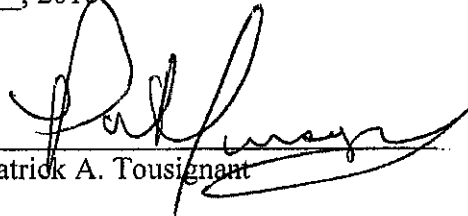
8. The Licensee shall not practice nursing in any state other than South Dakota, which is a party state to the Nurse Licensure Compact, without prior written authorization from both the Board and the Nursing Regulatory Authority in the party state in which the Licensee desires to practice.

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 of RN License with Mandated HPAP
Patrick A. Tousignant, RN

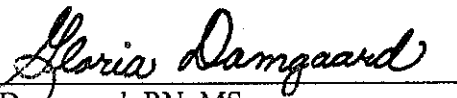
NOW, THEREFORE, the foregoing Agreed Upon Disposition for Order of Reinstatement of RN License with Mandated HPAP is entered into and is respectfully submitted to the Board with the request that the Board adopt its terms as an Order of the Board in the above matter.

Dated this 14 day of July, 2018


Patrick A. Tousignant

IT IS HEREBY ORDERED that the above Order of Reinstatement of RN License with Mandated HPAP was adopted by the South Dakota Board of Nursing on the 28th day of June, 2018, by a vote of 7-0.

SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, RN, MS
Executive Director