



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 unprofessional nursing practices and practitioners; and

WHEREAS, the Licensee 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; and

WHEREAS, it is the intent of this agreement 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 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 Licensee and the subject matter of this Order.
2. That the Licensee has admitted that Board received a complaint alleging that Licensee, while caring for a patient being monitored for intoxication of drug use, failed to clarify with the medical provider an order for Ativan protocol. Licensee also failed to perform vital signs or assess the patient during the night despite the fact that she had charted assessments and vital signs in the record.

When a sudden change in assessment was noted by the oncoming shift, there was a question raised about the patient's care during the night. Upon review of surveillance cameras, it was noted that Licensee had not performed vital signs or spoke to the patient. The patient

remained covered with a blanket throughout her shift. Licensee admitted to falsifying vital signs and assessments on the patient. She was terminated from her employment.

3. The Licensee recognizes that the matters complained of are of a nature that would constitute grounds for discipline of her license to practice as a practical nurse in the State of South Dakota under SDCL § 36-9-49(5).

4. That the Licensee understands that she has a right to a contested case hearing pursuant to SDCL Ch. 1-26 regarding the allegations in the pending complaint 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 her 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 circuit court and state Supreme Court as provided by law.

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

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

Based upon the foregoing acknowledgements, the Board and the Licensee hereby agree that this matter will be resolved according to the disciplinary procedures outlined in ARSD 20:48:08 by the issuance of this Letter of Reprimand.