



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 Voluntary Surrender of UMA Registration and Consent Order.

2. That on or about June 28, 2018, the Board received a complaint in regard to allegations that the Registrant removed 35 narcotics from the Omnicell and failed to document them as given in the eMAR. Registrant refused to give an interview or a urine sample for drug screening. Registrant requested to voluntarily surrender his UMA registration

3. That the Registrant has been given an opportunity to discuss this Voluntary Surrender of UMA Registration and Consent Order with an attorney of Registrant's choice, and is aware of his right to a hearing in this matter, and of his rights under the United States and South Dakota Constitutions, laws, rules and/or regulations. Registrant hereby voluntarily waives all such rights to a hearing, notice, appearance, or any other rights under said Constitutions, laws, rules and/or regulations. Registrant also agrees that the Board's Executive Director or her designee may present this Voluntary Surrender of UMA Registration and Consent Order to the Board and disclose to the Board all items of her investigation, including, but not limited to, any communications with Registrant.

4. That the Registrant may apply to have his registration reinstated for good cause shown.

5. That if the Registrant requests reinstatement, Registrant has the burden of presenting information showing that Registrant's registration should be reinstated.

6. That it is further stipulated and agreed that this Voluntary Surrender of UMA Registration and Consent Order is being entered into voluntarily by the Registrant and without

threats or coercion and is entered into after the Registrant has been given ample opportunity to consider these matters and to discuss this Voluntary Surrender of UMA Registration and Consent Order with an attorney of Registrant's choice and that the Registrant has a full understanding of the legal consequences of this Voluntary Surrender of UMA Registration and Consent Order and of the Registrant's rights to a formal hearing on these matters, which rights are hereby waived by the signing of this Voluntary Surrender of UMA Registration Consent Order.

7. Registrant understands that during the period of this Voluntary Surrender that he is ineligible to work in any nursing role, including that of a UMA, CNA or UDA.

8. This action is reportable discipline and will be published in the Board's newsletter and posted on its website and reported into applicable databases as required by law.

10. That the Board may enter an Order consistent with the terms of this stipulation.

NOW, THEREFORE, the foregoing Voluntary Surrender of UMA Registration and Consent Order 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 14, 2018.

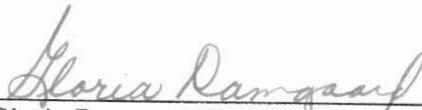
  
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Cole Whitehead

The South Dakota Board of Nursing met on the 13<sup>th</sup> day of September, 2018, and approved the attached Voluntary Surrender of UMA Registration and Consent Order as written by a vote of 7-0 and issued its Order as follows:

IT IS HEREBY ORDERED that the above Voluntary Surrender Consent Order is adopted as shown herein by the South Dakota Board of Nursing this 13<sup>th</sup> day of September, 2018.

Dated this 14<sup>th</sup> day of September, 2018.

SOUTH DAKOTA BOARD OF NURSING

  
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Gloria Damgaard, RN, MS  
Executive Director