

Registrant Complaint Information & Due Process

Filing a Complaint:

Any person who believes a registrant, certified nurse aide (CNA) or registered medication aide (RMA), violated the Nurse Practice Act may report it to the Board in the form of a written complaint. Board staff investigate all written complaints received under the Board's legal jurisdiction.

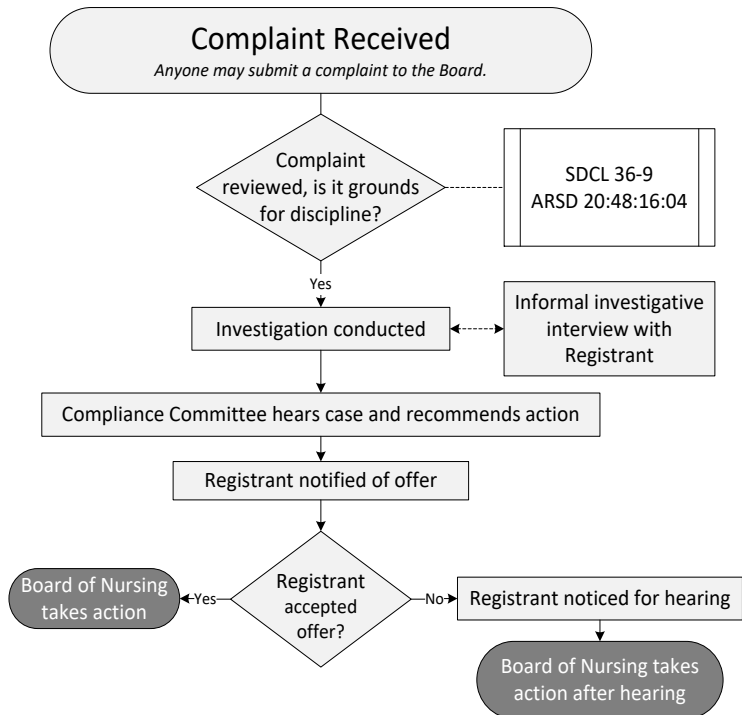
Due Process:

A registrant against whom a complaint is made is *always* afforded due process and will be given notice and a copy of the complaint.

Board staff may request and schedule an informal meeting as a part of the investigation to discuss the complaint. Attendees at the meeting may include board staff, the registrant, and attorneys, if requested.

Following investigation, the case will be heard by the Board's Compliance Committee, a subcommittee of the full Board. The committee meets prior to each regularly scheduled Board meeting and offers a proposed settlement on a case. If the settlement is accepted, the case is brought to the full Board for acceptance at their next meeting.

If a settlement is rejected, the Board will proceed with a *Contested Case Hearing* under SDCL 1-26. After the hearing, the full Board, except Compliance Committee members, decides the appropriate action to take. The Board may take **non-disciplinary** or **disciplinary** action, which may be anything from **dismissal** to **revocation**, based on the nature of the violation.



Non-Disciplinary Action	Disciplinary Action
- Dismissal of Complaint - Letter of Concern	- Letter of Reprimand - Denial of Licensure - Probation - Suspension - Revocation

If formal disciplinary action is recommended, a registrant always has the right to request a Contested Case Hearing before the full Board.

Board actions involving **discipline** will be published in the Board's newsletter, the *South Dakota Nursing News*, on the Board's website, and reported to the National Practitioner Data Bank (NPDB) as required by law.

Emergency Board Action:

If there is an immediate risk of harm to the public, the Board may take emergency action to temporarily suspend a registrant until a formal hearing can be held.

More information is available on the South Dakota Board of Nursing website:
<http://doh.sd.gov/boards/nursing/complaints.aspx>