

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

400M0237

SENATE BILL NO. 33

Introduced by: The Committee on Health and Human Services at the request of the
Department of Health

1 FOR AN ACT ENTITLED, An Act to require each applicant for licensure as a nurse and each
2 licensee who is the subject of a disciplinary investigation to submit to a state and federal
3 criminal background check.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That chapter 36-9 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 Each applicant for licensure as a registered nurse, licensed practical nurse, certified
8 registered nurse anesthetist, or clinical nurse specialist in this state shall submit to a state and
9 federal criminal background investigation by means of fingerprint checks by the Division of
10 Criminal Investigation and the Federal Bureau of Investigation. Upon application, the Board of
11 Nursing shall submit completed fingerprint cards to the Division of Criminal Investigation.
12 Upon completion of the criminal background check, the Division of Criminal Investigation shall
13 forward to the board all information obtained as a result of the criminal background check. This
14 information shall be obtained prior to permanent licensure of the applicant. The Board of
15 Nursing may require a state and federal criminal background check for any licensee who is the



1 subject of a disciplinary investigation by the board. Failure to submit or cooperate with the
2 criminal background investigation is grounds for denial of an application or may result in
3 revocation of a license. The applicant shall pay for any fees charged for the cost of
4 fingerprinting or the criminal background investigation.