

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

CONSENT AGREEMENT
WITH
STIPULATION AND
REPRIMAND

In re: ROCHELLE KUPER

CONSENT AGREEMENT

IT IS AGREED by the South Dakota Board of Medical and Osteopathic Examiners (Board) and Rochelle Kuper (Ms. Kuper) as follows:

1. Registration status: Ms. Kuper does not presently hold a registration to practice as a medical assistant in South Dakota.
2. Admission/Facts: Ms. Kuper admits to the following facts:
 - a. That Ms. Kuper was initially registered by the Board November 8, 2006.
 - b. That Ms. Kuper was required by statute to renew her registration on or before December 31, 2007.
 - c. That Ms. Kuper failed to renew her registration by the December 31, 2007 deadline and therefore her registration was forfeited under the provisions of SDCL 36-9B-4 for non-renewal.
 - d. Ms. Kuper practiced as a medical assistant in South Dakota without a valid registration after December 31, 2007.
 - e. That Ms. Kuper's background contained a significant history of alcohol use.
 - f. That Ms. Kuper desires to reinstate and renew her registration.
3. Informal Agreement: It is the intent of the parties of this Consent Agreement with Stipulation and Reprimand to provide for the informal compromise and settlement of all issues which could be raised by a formal contested hearing.
4. Waiver of Rights: Ms. Kuper understands she has the right to consult with an attorney who is licensed in South Dakota, and if no attorney signs this agreement, she waives said right. She also has a right to an administrative hearing on the facts in this case. Ms. Kuper understands

and agrees that by signing this Consent Agreement with Stipulation and Reprimand, she is waiving her rights to a hearing. Ms. Kuper further understands and agrees that by signing this Consent Agreement with Stipulation and Reprimand, she is voluntarily and knowingly giving up her right to present oral and documentary evidence, to present rebuttal evidence, to cross-examine witnesses against Ms. Kuper, and to appeal the Board's decision to Circuit Court.

STIPULATION

Ms. Kuper agrees that her registration to practice as a medical assistant shall be subject to the following terms and conditions:

- a. It is strongly suggested that any use of alcohol be conducted in a responsible, safe and legal manner.
- b. A copy of this Consent Agreement will become a permanent part of the official file.
- c. Should any future incidents arise that involve unprofessional conduct, including but not limited to infractions of the law, reconsideration of this matter will occur and likely result in further disciplinary action.

REPRIMAND


The registration, if renewed and reinstated to Ms. Kuper, shall be subject to the following terms and conditions:

- B. Reprimand: The following reprimand shall be placed in Ms. Kuper's file with this Consent Agreement:

The Board hereby reprimands you, Rochelle Kuper for practicing as a medical assistant in South Dakota without a current and valid registration. The issuance of a registration to practice as a medical assistant in South Dakota is a privilege that is based, in part, upon timely renewals of your registration. The Board considers practicing as a medical assistant without a registration a serious matter.


IT IS FURTHER AGREED that this Consent Agreement with Stipulation and Reprimand shall take effect immediately and is a public record of the Board and the State of South Dakota. The Board may provide a copy of it to any person or entity; professional licensing board; federal, state; or local government; or other entity making a legal inquiry. The action taken by the Board in this Consent Agreement will be published and reported at the Board deems necessary.

WHEREAS, Ms. Kuper has unconditionally accepted this Consent Agreement with Stipulation and Reprimand by affixing her signature to this document.

 Date: 7/8, 2010
Rochelle Kuper

Attorney for Ms. Kuper (optional) Date: _____, 2010

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

By:  Date: 7/8, 2010
Margaret B. Hansen, Executive Director

THE SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

Re: ROCHELLE KUPER

ORDER TO APPROVE
CONSENT AGREEMENT WITH
STIPULATION AND
REPRIMAND


The above-entitled matter having come before the South Dakota Board of Medical and Osteopathic Examiners, and the Board having been informed that an investigation was initiated by members of the Board's Investigative Review Panel due to Ms. Kuper's unprofessional and dishonorable conduct in that she engaged in practice as a medical assistant in South Dakota without a valid registration because she failed to become registered prior to practicing as a medical assistant.

The applicant has entered into the Consent Agreement with Reprimand with the Board, and the Board being fully advised in the premises;

IT IS THEREFORE ORDERED that the Consent Agreement with Reprimand is approved, and

IT IS FURTHER ORDERED that the Consent Agreement with Reprimand is a public document and shall be published and reported as the Board deems necessary.

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS



Margaret B. Hansen
Executive Director

Date: 7/8/2010