

11-2-100942

FILED OAH
5 OCT '12 AM 9:28

BEFORE THE KANSAS STATE BOARD OF NURSING
Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

FILED
11-516
OCT 11 2012 p-6

IN THE MATTER OF
JIM R. FORD
License No. 13-054357-052

KSBN

Case No. 09-080-1 and 10-212-1

PROPOSED DEFAULT ORDER TO REVOKE LICENSE

NOW ON THIS 4th day of October, 2012, petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Alma A. Heckler, Assistant Attorney General, for a Hearing on the Petition. Respondent does not appear.

Wherefore, the Presiding Officer finds as follows:

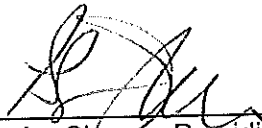
1. Respondent is licensed to practice nursing in Kansas through 5/31/2014. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent was sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper. Respondent does not appear.
3. Petitioner moves for issuance of a proposed default order revoking respondent's license. The petitioner's request is granted by default pursuant to K.S.A. 77-520.
4. The petition is hereby granted and incorporated into this order as if set forth herein. Respondent violated the Nurse Practice Act as alleged in the petition.
5. Per Petitioner's request, Respondent's license to practice nursing is revoked. Respondent may not practice nursing in Kansas.
6. Costs of the action of \$70 are assessed to respondent to be paid to the board by cash or money order within 30 days of the effective date of this order.
7. Respondent shall immediately forward his original Kansas nursing license to the Kansas State Board of Nursing.

8. This Proposed Default Order shall become effective seven days after service or ten days after mailing of this order unless the Respondent files a written motion with the Board stating why the Proposed Default Order should be vacated and the order is then vacated.

9. If this Proposed Default Order becomes effective, the Respondent's request for administrative hearing is dismissed pursuant to K.S.A. 77-520(d).

10. Disciplinary counsel shall mail a copy of this proposed default order to respondent's last known address.

IT IS SO ORDERED.



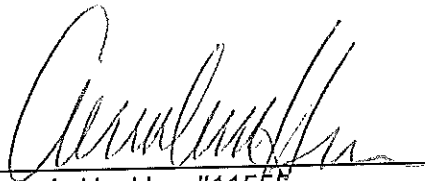
Sandra Sharon, Presiding Officer
Office of Administrative Hearings
1020 S Kansas Ave.
Topeka, KS 66612-1327

NOTICE

Pursuant to K.S.A. 77-527, either party may request a review of this order by filing a petition for review with the Kansas State Board of Nursing. The petition for review shall state its basis. A petition for review must be filed within 7 days from the date this order becomes effective. Failure to timely request a review by the Kansas State Board of Nursing may preclude further judicial review. The petition for review shall be mailed or personally delivered to: State Board of Nursing - Legal Division, Landon State Office Building, 900 SW Jackson, Ste 1051, Topeka, KS 66612-1230.

Pursuant to K.S.A. 77-530, if neither party requests a review by the Kansas State Board of Nursing, then this initial order becomes final and binding on both parties on the 30th day following its service.

Pursuant to K.S.A. 77-531, if the initial order is served by mail, three days are added to the time limits set out above.



Alma A. Heckler, #11555
Disciplinary Counsel
Kansas State Board of Nursing
900 S.W. Jackson, Suite #1051
Topeka, KS 66612-1230
785-296-4325

CERTIFICATE OF SERVICE

I certify that on the 14th day of October, 2012, the foregoing copy of the PROPOSED DEFAULT ORDER TO REVOKE LICENSE was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Jim R. Ford
420 S. Bluff
Wichita, Kansas 67218

A handwritten signature in cursive script, appearing to read "Alma A. Heckler", written over a horizontal line.

Alma A. Heckler, #11555
Assistant Attorney General

BEFORE THE KANSAS STATE BOARD OF NURSING
Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

FILED #194
MAY 11 2012 pab

IN THE MATTER OF
JIM R. FORD
License No. 13-054357-052

KSBN

Case No. 09-080-1 and 10-212-1

FILED OAH
14 MAY '12 AM 10:02

PETITION TO REVOKE

COMES NOW the petitioner, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Alma A. Heckler, and for its cause of action states that:

1. Respondent, Jim R. Ford, is licensed to practice nursing in Kansas through 5/31/2012. The Board has jurisdiction over the respondent and the subject matter of this action.
2. Respondent's address of record is 550 W. Central, #708, Wichita, Kansas 67203.
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that the respondent violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
4. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120(a) is established.

FACTS COMMON TO ALL COUNTS

5. The facts below are common to all counts:
 - (a) Respondent entered a Final Order and Consent Agreement (Consent Agreement) on or about November 8, 2011, with the Kansas State Board of Nursing to resolve case numbers 09-080-1 and 10-212-1. The Final Order and Consent Agreement remains in effect until such time as the Respondent completes all conditions and requirements of the Final

Order and Consent Agreement. Respondent has not completed all conditions and requirements of the Final Order and Consent Agreement.

(b) Conditions of the November 8, 2011, Final Order and Consent Agreement include the following conditions; Respondent will pay \$70.00 costs and fees of the action; will complete education in 90 days of entering the agreement; will have his employer submit quarterly employee performance reports beginning one month after November 8, 2011; submit proof from his employer he has not worked as a DON; and will tell his employers about the November 8, 2011 Final Order and Consent Agreement.

(c) Respondent has failed to date to pay the \$70.00 fee.

(d) Respondent failed to inform his employer Cascade Health Services, a staffing agency, until 2/2/2012. He was assigned to placements at Newton Medical Center, Newton, Kansas, Medicalodge of Herrington, Galichia Heart Hospital, Prairie View Behavioral, Hillsboro Community Hospital and Comfort Care Homes in Wichita before Cascade became aware of the 11/8/2012 Final Order and Consent Agreement.

(e) Respondent has also failed to complete any quarterly Employee Performance Evaluations as required by the November 8, 2011, Final Order and Consent Agreement.

(f) Respondent was required to complete education within 90 days of the 11/8/2011 agreement. He is required to complete 3-6 hours on Documentation, 3-6 hours on Medication Administration, 3-6 hours on Wound Care and 6 hours face to face education on Physical Assessments. Respondent has not completed the 6 hours on Physical Assessments. Respondent has completed one hour of education on Medication Administration but not 3-6 hours as required. Respondent has completed one hour of education on Documentation but not the 3-6 hours as required. Respondent has completed 3 hours of education on Wound Care.

(g) Respondent entered the 11/8/2011 Final Order and Consent Agreement and admitted to his failure to follow up on and document the assessment of a foul odor coming from a resident's cast and that he administered Zofran prior to getting a doctor's order.

VIOLATIONS

Count 1: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(r), failing to comply with any disciplinary order of the board.

WHEREFORE, petitioner requests the respondent's nursing license be revoked based on a significant pattern of failure to comply with the terms of the November 8, 2011, Final Order and Consent Agreement; costs of this action should be assessed to the respondent in at least the amount of \$70.00.

Respectfully submitted,

Derek Schmidt
Kansas Attorney General

By:


Alma A. Heckler, #11555
Assistant Attorney General