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Board of Nursing

KANSAS

KANSAS STATE BOARD OF NURSING
MARY BLUBAUGH MSN, RN, EXECUTIVE ADMINISTRATOR

KATHLEEN SEBELIUS, GOVERNOR

July 15, 2005

Cara Crockett
11628 Tomahawk Creek Pkwy
Leawood, KS 66211

Case 05-214-7

SUMMARY ORDER

Dear Ms Crockett:

The Disciplinary Committee of the Kansas State Board of Nursing has reviewed your application materials and on behalf of the Board members I am denying your reinstatement application to practice nursing as a registered nurse (R.N.) in Kansas. This denial is based upon the following:

FINDINGS OF FACT

1. Respondent has submitted an application for reinstatement of her nursing license received by the Board 2/18/2005.

2. In Case 01-236-7 the applicant signed a Kansas Nurses Assistance Program (KNAP) agreement/contract on 4/27/01 and then rescinded the contract and all releases. She admitted in April of 2001 she was at a party at a friend's home and after drinking punch with Vodka in it, her friends called "911" and an ambulance took her to an addiction recovery unit. She denied any abuse of alcohol and refused services from KNAP. She did not release her medical records to the Kansas State Board of Nursing, but did admit in a letter to the Board that she had, also, been admitted to the hospital for alcohol poisoning in June of 2001. She refused to enter KNAP because she stated she did not abuse alcohol.

3. The respondent readmitted herself into KNAP. She signed an agreement/contract on March 16, 2002. She relapsed on May 24, 2002 and agreed to some additional conditions; (1) no twelve (12) hour shifts or night work; (2) no agency work; (3) attendance at aftercare one time weekly; and (4) evaluation for ongoing counseling.

4. She re-entered into a diversion agreement with the Board on September 11, 2002. She failed to meet the terms of the diversion agreement by relapsing on 1/23/03 and 1/31/03.

CASE 01-236-7, 03-317-7

5. Respondent had not been able to maintain sobriety from drugs or alcohol since January of 2002. The board had reports of positive UDS on 1/23/03, 1/30/03, 4/30/03. She had in-patient treatment from July 11, 2002 to August 7, 2002, and relapsed to alcohol immediately upon discharge. She had inpatient treatment again from August 17-24, 2002 for alcohol abuse. Due to relapsing on drugs and alcohol, respondent's time in KNAP was extended to 1/31/06. She had 2 positive UDS for benzodiazepines (Serax) in January 2003. After a positive UDS on 4/30/03 she was re-evaluated. In May 2003 respondent admitted to relapsing to alcohol. Respondent began missing appointments, and on 8/15/03 the board and respondent received

a letter from KNAP stating that respondent was not safe to practice nursing. KNAP recommended a documented **two years of recovery and sobriety** be provided before considering her safe to practice.

6. On 10/22/2003 the respondent signed a Final Order, a Consent Agreement to Surrender and Revoke License, based upon the above incidents.

CONCLUSIONS OF LAW

7. K. S. A. 65-1120(a) provides that it is a ground for denial of a license if the applicant is found to be guilty of violating the nurse practice act. The above incidents established evidence that the respondent violated:

K.S.A. 65-1120(a)(8) to have a license to practice nursing as a registered nurse or as a practical nurse denied, revoked, limited or suspended, or to be publicly or privately censured, by a licensing authority of another state, agency of the United States government, territory of the United States or country or to have other disciplinary action taken against the applicant or licensee by a licensing authority of another state, agency of the United States government, territory of the United States or country. A certified copy of the record or order of public or private censure, denial, suspension, limitation, revocation or other disciplinary action of the licensing authority of another state, agency of the United States government, territory of the United States or country shall constitute prima facie evidence of such a fact for purposes of this paragraph (8).

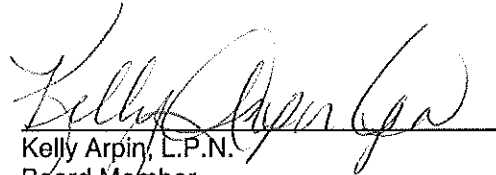
K.S.A. 65-1120(a)(4) to be unable to practice with skill and safety due to current abuse of drugs or alcohol;

K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (s) failing to complete the requirements of the impaired provider program of the board;

8. K.S.A. 77-511(a)(2)(a) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency when denying an application.
9. Your conduct described herein violated the Kansas Nurse Practice Act.
10. If the information provided is incorrect, or if you wish to dispute this matter, please let us know immediately by following the procedure for requesting a hearing. A copy of your application will be sent to you upon request.
11. Pursuant to K.S.A. 77-537, this decision, which is called a Summary Order, is subject to your request for a hearing. If you desire a hearing, you must submit or direct a written request for hearing to:

Kansas State Board of Nursing
Legal Division
900 SW Jackson, Suite 1051
Topeka, Kansas 66612-1230
(785) 296-4325

THIS REQUEST MUST BE SUBMITTED WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS ORDER. If a hearing is not requested in the time and manner stated above, this Summary Order becomes effective and final upon the expiration of the time for requesting a hearing.


Kelly Arpin, L.P.N.
Board Member

CERTIFICATE OF SERVICE

I certify that on the 15th day of July, 2005, the foregoing copy of the Summary Order was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Cara Crockett
11628 Tomahawk Creek Pkwy
Leawood, KS 66211

Betty Wright

Betty Wright, Assistant Attorney General
Kansas State Board of Nursing
900 SW Jackson, Ste 1051
Topeka KS 66612-1230
785-296-7047

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