Filed
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Board of Nursing

$\underline{July}$)4 , 2004

Julie Slater
1015 N 8th
Salina, KS 67401

and
Julie Slater
% Sonya
704 Grand St.
Clyde, KS 67938

Case 00-041-9

SUMMARY ORDER

Dear Ms. Slater:

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 a reinstatement of his nursing license received by the Board 9/30/2003.

2.   The respondent has a pending case 00-041-9 with the Kansas State Board of Nursing. In this case, on or about 12/28/99 while she was employed at Salina Presbyterian Manor, Salina, KS a resident required morphine and there was none available, however some was recorded as delivered to the facility. The licensee admitted she received the drug, signed for it, and made a record, but the drug was never found. On or about 1/13/00 the pharmacy notified the facility that the emergency kit had been opened and the Demerol been replaced frequently in the past couple of weeks. The licensee allegedly diverted Demerol and Morphine from at least three residents (M.W., L.B., and B.T.) at the facility. There was no medical record documentation that the residents involved were having any discomfort.

3.   Licensee failed to report a misdemeanor conviction Cloud County Case 97CR09 for worthless checks on the 9/30/2003 reinstatement application.

4.   On or about 5/24/2004 the respondent was sent a letter and a Diversion Agreement to sign regarding an agreement to reinstate. There has been no response regarding an agreement, ███████████████

CONCLUSIONS OF LAW

5.   K. S. A. 65-1120(a) provides that it is a ground for denial of a license if the applicant is found to have violated the nurse practice act, the violations are as follows:

K.S.A. 65-1120 (a)(1)   To be guilty of fraud or deceit in practicing nursing or in procuring or attempting to procure a license to practice nursing;

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), to be guilty of unprofessional conduct by diverting drugs, supplies, or property of any patient or agency. K.A.R. 60-3-110(n).

6.   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.

7.   Your conduct described herein violates the Kansas Nurse Practice Act.

8.   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.

9.   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 _____14_____ day of _____July_____, 2004, 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:

Julie Slater
1015 N 8th
Salina, KS 67401

and
Julie Slater
% Sonya
704 Grand St.
Clyde, KS 67938

Betty Wright
Assistant Attorney General