

**BEFORE THE KANSAS STATE BOARD OF NURSING**

Landon State Office Building, 900 S.W. Jackson #1051  
Topeka, Kansas 66612-1230

**FILED**

**NOV 27 2007**

**KSBN**

**IN THE MATTER OF  
CARMEN R. CLARK (A.K.A. ARMSTRONG)  
License No. 13-065988-012**

**Case No. 06-062-4**

**PROPOSED DEFAULT ORDER TO REVOKE LICENSE**

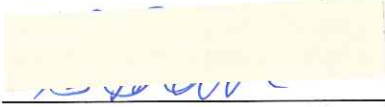
NOW ON THIS 27th day of November, 2007, petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Alma A. Heckler, for a Hearing on the Petition. Respondent does not appear.

Wherefore, the Presiding Officer finds as follows:

1. Respondent is licensed to practice nursing in Kansas through 1/31/2008. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
2. Petitioner sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper.
3. Petitioner moves for issuance of a proposed default order revoking respondent's license. The petitioner's request is granted by default.
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. Respondent is to mail the license card to the Kansas State Board of Nursing office immediately.
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 or her original Kansas registered nurse license to the Kansas State Board of Nursing.

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


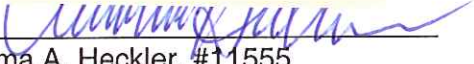
**IT IS SO ORDERED.**

  
Sandra L. Sharon, Presiding Officer

**NOTICE**

This is a proposed default order pursuant to K.S.A. 77-520. This order becomes effective if respondent does not file a written motion requesting that this order be vacated with the board within seven days after the day this order is mailed. If a motion is timely filed, then a hearing will be set and notice given to respondent to appear. Another order will then be issued either vacating or affirming this order. The written motion is to be filed at:

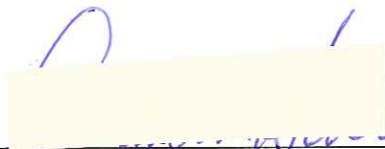
State Board of Nursing - Legal Division  
Landon State Office Building  
900 SW Jackson, Ste 1051  
Topeka, KS 66612-1230

  
  
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 27<sup>th</sup> day of November, 2007, the foregoing copy of the Proposed Default Order Revoking License was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Carmen R. Clark (A.K.A. Armstrong)  
714 W. 22nd  
Hutchinson, 67501  
And  
207 1/2 W. 9th  
Hutchinson, Kansas 67501

  
  
Alma A. Heckler  
Assistant Attorney General

# BEFORE THE KANSAS STATE BOARD OF NURSING

Landon State Office Building, 900 S.W. Jackson #1051  
Topeka, Kansas 66612-1230

IN THE MATTER OF  
CARMEN R. CLARK (ARMSTRONG)  
License No. 13-065988-012

Case No. 06-062-4

## AMENDED PETITION

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 is licensed to practice nursing in Kansas through 1/31/2008. The Board has jurisdiction over the respondent and the subject matter of this action.
2. Respondent's address of record is 714 W. 22nd, Hutchinson, KS 67501.
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 failed to report criminal history on renewal applications in 2002, 2004 and 2006. Respondent pled guilty to one count of Giving a Worthless Check, a Class A Non-Person Misdemeanor on March 22, 2000 in Lyon County, Kansas District Court. Respondent has received two tickets for driving while driver's license suspended in Garden City, Kansas on April 17, 2002. These two

tickets remain unresolved and a city warrant was issued for the respondent's arrest.

- (b) Respondent also admitted to diverting medications, Lortab and Demerol, four times while employed at Hutchinson Hospital, in Hutchinson, Kansas.

Respondent was employed there from 9/17/2004 to 12/29/2005. Respondent self referred to the Kansas Nurses Assistance Program (KNAP) and signed an agreement with KNAP on 2/6/2006. Respondent relapsed on 6/22/2006.

- (c) Respondent admitted to checking out medications, originally for patients and then using the medications herself. She stated she began using the medications because she lost custody of her son to her ex-husband and stopped because she got caught. Respondent admitted that alcohol was her drug of choice and admitted to the positive UDS for alcohol on 6/22/2006.

- (d) Hospital records indicate the respondent withdrew medications at least four times from Pyxis for patients assigned to other staff and two assigned to her.

Respondent failed to document any administration of the medications to patients.

### VIOLATIONS

6. Count 1: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (n), diverting drugs, supplies, or property of any patient or agency.

Count 2: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (d), inaccurately recording, falsifying, or altering any record of a patient or agency or of the board.

Count 3: 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.

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

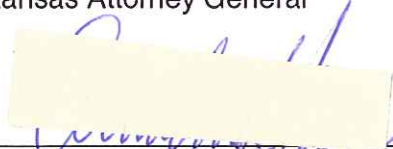
Count 5: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (s) failing to complete the requirements of the impaired provider program of the board.

WHEREFORE, petitioner requests a finding that the respondent has violated the Nurse Practice Act, that respondent's license to practice nursing in Kansas be revoked, and that costs of this action be assessed to the respondent in the amount of \$70.00.

Respectfully submitted,

Paul Morrison  
Kansas Attorney General

By:

  
Alma A. Heckler, #11555  
Assistant Attorney General