

**KSBN**

November 19<sup>th</sup>, 2007

Ronald H. Wayman  
PO Box 6  
Prairie View, KS 67664

Case No. 95-522-8, 97-585-8  
License No. 13-072436-022

**SUMMARY ORDER**

Dear Mr. Wayman:

The Investigative Committee of the Kansas State Board of Nursing (KSBN) has reviewed your application materials. It is the decision of the Board that your reinstatement application to practice nursing as a registered nurse in Kansas is denied. This denial is based upon the following:

**FINDINGS OF FACT**

1. (a) Respondent submitted an application to the Board for reinstatement as a registered nurse in the State of Kansas on 3/20/2007.

(b) Respondent has two prior discipline cases #95-522-8 and #97-585-8. In the '95 discipline case it was determined the respondent wrote a physician's name on the signature line of his son's school physical form. The physician denied ever performing the physical. Mr. Wayman denied any fraudulent/deceitful intent. Respondent was required by the Kansas Board of Nursing (KBON) to complete three hours of Continuing Nursing Education (CNE) on Legal Issues in Nursing. He did complete the education and the case was inactivated.

(c) Respondent in the '97 discipline case was employed at a nursing home. While employed there he failed on numerous occasions to provide appropriate treatment as follows:  
Failed repeatedly to check the resident's blood sugars as ordered;  
Repeatedly failed to administer the resident's prescribed insulin before meals and administered it after meals because respondent was too busy;  
Flushed a PICC line with Heparin instead of the ordered normal saline solution;  
Removed an impaction from a female resident against her wishes, after she requested a female nurse perform the task, then gave the resident a good night hug and kiss without her consent;  
Failed to assess a resident when concerns were noted about the resident's congestive heart failure but stated he felt the resident was simply anxious but soon thereafter the resident required transfer to an acute facility where the resident expired from congestive heart failure;  
Respondent made inappropriate remarks to a resident's family about the death of a resident;  
Repeatedly failed to lock the medication cart;

Failed to perform adequate admission assessments and documentation;  
Failed to place a sign on a resident's room door, indicating oxygen was in use;  
Failed to complete adequate care plans;  
Failed to provide appropriate equipment for residents with high risk of skin breakdown;  
Worked the front desk and left the resident's nursing care to other staff; and  
Failed to administer medications, including Coumadin as ordered.

(d) Respondent was invited to attend an informal interview with the KBON Investigative Committee on June 23, 1998. The committee after the interview required the respondent to submit six (6) hours of CNE on Legal Issues in Nursing, Care of a Diabetic Patient and Professional Ethics, for a total of eighteen (18) hours. The respondent agreed with the request but did not ever supply proof to KBON he had completed the discipline. The matter was again discussed with the respondent on December 2 and 3, 1998 and he promised to complete the CNE.

(e) On or about February 24, 2000 the respondent contacted KBON and requested his license be placed on "inactive" status. He claimed to have completed the CNE and to have forwarded the certificates to the Board. A check of the records did not show that the Board had received any such communication from the respondent. When the respondent was confronted with the information, he indicated his house had been involved in a tornado and the CNE certificates had blown away. The investigator explained to the respondent how to contact the providers and get new certificates issued. The respondent again did not submit any CNE certificates to the Board but his license was placed on inactive status anyway. The next contact with the respondent was his reinstatement application received by the Board on March 20, 2007.

(f) On the reinstatement application the respondent reports he was working in New York and Colorado at the same time in 2006.

#### CONCLUSIONS OF LAW

2. Pursuant to K.S.A. 65-1120(a), the Kansas State Board of Nursing may deny, revoke, limit or suspend any license, certificate of qualification or authorization to practice nursing as a registered professional nurse, as a licensed practical nurse, as an advanced registered nurse practitioner or as a registered nurse anesthetist that is issued by the board or applied for under this act or may publicly or privately censure a licensee or holder of a certificate of qualification or authorization, if the applicant, licensee or holder of a certificate of qualification or authorization is found to have violated the Nurse Practice Act. The above fact findings establish evidence that the applicant violated the following provisions of the Nurse Practice Act:

(a) Count 1: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(c), failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.


Count 2: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(f), commission of any act of sexual abuse, sexual misconduct, or sexual exploitation related to the licensee's practice.

Furthermore, the respondent failed to complete the recommendations of the Board and did not submit CNE documentation to show he completed the eighteen (18) hours of education imposed in response to the allegations of #97585-8.

3. 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 in whole or in part.
4. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.
5. If you wish to dispute this matter, contact the Board immediately by following the procedure for requesting a hearing. A copy of your application will be sent to you upon request.
6. 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.

  
Judith Hiner, RN, BSN, CNA  
Investigative Committee, Chair  
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 26<sup>th</sup> day of November 2007, 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:

Ronald H. Wayman  
PO Box 6  
314 Mayberry  
Prairie View, KS 67664



Alma A. Heckler, #11555  
Assistant Attorney General