

OCT 24 2005

BEFORE THE KANSAS STATE BOARD OF NURSING

Board of Nursing

IN THE MATTER OF
Marilyn Rasnic
License No. 13-076675-082

Case No. 03-33-4, ^{c3-048-4 03-637-3}~~03-063-7, 03-673-3~~
OAH No. 06BN0001

INITIAL ORDER

NOW on this 28th day of September, 2005, the above-captioned matter comes on for hearing before the Office of Administrative Hearings, Sandra L. Sharon, Presiding Officer. The Petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Betty Wright, Assistant Attorney General. The Respondent, Mary Rasnic, appeared via teleconference.

FINDINGS OF FACT

1. The Respondent is licensed to practice nursing as a Registered Nurse through August 31, 2006. The Respondent's address of record is Marilyn Rasnic, PO Box 383, Haven, KS 67543.
2. The Respondent signed a Consent Agreement to Suspend License with a Stay effective July 19, 2004. The Respondent agreed that you would comply with the [REDACTED]
3. On February 28, 2005, the Respondent had a positive UDS for cocaine and methamphetamine. On April 18, 2005, the Respondent's UDS was disallowed for insufficient quantity.
4. [REDACTED]
5. On August 30, 2005, [REDACTED] closed the Respondent's case for being non-compliant. [REDACTED]
6. [REDACTED] determined the Respondent unsafe to practice and a danger to the public as a practicing nurse. On approximately August 7, 2005, the Respondent was in an automobile accident. She was hospitalized off and on through August 14, 2005.

CONCLUSIONS OF LAW

1. The Respondent is noncompliant with [REDACTED] and with the Consent Agreement by having a positive UDS and [REDACTED]
[REDACTED]
2. The Respondent has violated:
 - a. K.S.A. 65-1120 (a)(6); unprofessional conduct, defined by administrative regulation K.A.R. 60-3-110(r); failing to comply with any disciplinary order of the board.
 - b. K.S.A. 65-1120(a)(6), unprofessional conduct as defined by K.A.R. 60-3-110(s) as failing to complete the requirements of the impaired provider program of the board.
3. The Petitioner's request to lift the Stay and Revoke the Respondent's license is hereby granted. The Petitioner's license to practice nursing is hereby revoked.

Appeal Rights and Other Administrative Relief

The procedures available and time limitations for seeking review or other relief as follows: Any party, within fifteen (15) days after service of this notice, may file a petition for review with the agency head, send you request to:

Mary Blubaugh, Executive Director, Board of Nursing
Landon State Office Building
Suite 1051, 900 SW Jackson
Topeka, KS 66612-1230

The petition for review shall state its basis, pursuant to K.S.A. 77-527.

OFFICE OF ADMINISTRATIVE HEARINGS

Sandra L. Sharon
Presiding Officer
Office of Administrative Hearings

CERTIFICATE OF SERVICE

On Oct 21, 2005, I mailed a copy of this document to:

Marilyn Rasnic
PO Box 383
Haven, KS 67543

Betty Wright
Assistant Attorney General
Disciplinary Counsel for the Kansas State Board of Nursing
900 SW Jackson, LSOB, Ste. 1051
Topeka, KS 66612

Staff Person
Office of Administrative Hearings

Filed

OCT 25 2005

Board of Nursing

BEFORE THE KANSAS STATE BOARD OF NURSING
LONDON STATE OFFICE BUILDING, 900 S.W. JACKSON #1051
TOPEKA, KANSAS 66612-1230

IN THE MATTER OF
MARILYN RASNIC
LICENSE NO. 13-076675-082

CASE NO. 03-033-4 – 03-063-7, 03-673-3

SECOND CERTIFICATE OF SERVICE

On the 25TH October, 2005, I deposited a copy of the Initial Order filed 10/24/2005 with the United States Postal Service, postage pre-paid, addressed to:

Marilyn Rasnic
510 Duffy Rd.
Hutchinson, KS 67501

Betty Wright, Assistant Attorney
General