

**BEFORE THE KANSAS STATE BOARD OF NURSING**  
Landon State Office Building, 900 S.W. Jackson #1051  
Topeka, Kansas 66612-1230

**FILED**  
JUL 27 2010  
KSBN

**IN THE MATTER OF**  
**ANGELA R. VENABLES**  
**License No. 13-100560-081**

**Case No. 07-948-3, 08-088-3**  
**OAH No. 10BN0011**

**CONSENT AGREEMENT AND FINAL ORDER**

NOW ON THIS 27<sup>th</sup> day of July, 2010, the Kansas State Board of Nursing, represented by Assistant Attorney General, Alma A. Heckler, and the Respondent, Angela R. Venables, hereby enter into this agreement and proffer evidence and the hearing officers adopts those recommendations and makes the following findings of fact and orders:

**AGREED FINDINGS OF FACT**

1. Respondent is currently licensed to practice nursing in Kansas through 8/31/2011. The Kansas State Board of Nursing (KSBN) has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent's address of record is: 1462 K-4 Hwy, Lindsborg, KS 67456.
3. The Respondent understands that pursuant to K.S.A. 77-515, respondent may be represented, at respondent's expense, by an attorney during these proceedings.
4. 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.
5. 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 administration fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120 is established.

6. (a) A petition was filed 7/23/2009 to take disciplinary action against the Licensee's license.

(b) On or about 1/25/2007, Respondent began employment as a nurse at Wesley Medical Center, Wichita, Kansas.

(c) On or about 5/1/2007, Respondent failed to properly assess and or failed to properly document the assessment of patient M.C. as required by facility policy and procedure.

(d) On or about 5/4/2007, Respondent delegated the responsibility of taking and documenting vital signs to the family of a patient.

(e) During Respondent's employment at Wesley Medical Center, Respondent was absent and/or late for work on several occasions. On or about 5/18/2007, Respondent's employment at Wesley Medical Center was terminated due to late arrival.

(f) On or about 7/17/2007, Respondent submitted an employment application to Craig Home Care, Salina, Kansas. Within the employment application Respondent wrote her reason for leaving Wesley Medical Center as "needing a job closer to home". On or about 8/13/2007, Respondent began employment as a nurse at Craig Home Care.

(g) On or about 8/13/2007, Respondent was assigned by Craig Home Care to provide nursing care for a pediatric client. Respondent's duties included getting the client medically ready for school, transporting the client to school on time, administering feedings and medications for the client while at school, constant assessment and supervision of the

client's medical needs while at school, transporting the client home from school, and transfer of the client's care to the client's family.

(h) Craig Home Care staff reviewed charting which was to have completed by Respondent regarding the client. The staff found that Respondent had failed to chart as required by Craig Home Care policies and procedures. The staff also found that Respondent had arrived late to client's home on several occasions but that her time keeping records did not reflect the late arrivals. On or about 9/18/2007, Respondent's position with Craig Home Care was terminated.

### VIOLATIONS

7. The above incidents are violations of the nurse practice act. The Respondent agrees that the board is prepared to prove that respondent had violated:

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(d), inaccurately recording, falsifying, or altering any record of a patient or agency or of the board.

8. Respondent has the right to a hearing with evidence and witnesses and to seek review of the findings from that hearing in accordance with the Kansas Administrative Procedure Act and the Act for Judicial Review and Civil Enforcement of agency actions. Respondent is waiving those rights and voluntarily entering into this agreement instead of proceeding to such a hearing.

### **CONCLUSIONS OF LAW**

9. 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 violation of K.S.A. 65-1120 is established.

10. Respondent has violated the Kansas Nurse Practice Act as follows:

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(d), inaccurately recording, falsifying, or altering and record of patient or agency or of the board.

### **POLICY STATEMENT**

11. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

### **DISPOSITION**

12. By entering into this Consent Agreement and consenting to the entry of the Final Order, both parties waive their rights to full administrative proceedings pursuant to K.S.A. 65-1120 and K.S.A. 77-501 et seq. and to judicial review.

13. Based upon this agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that this Consent Agreement and Final Order shall continue in force and effect for a term of twelve (12) months or continue in force and effect through any renewal periods of Respondent's nursing license until respondent completes

each of the conditions and requirements of this agreement. Further, the parties agree that in the event of a lapse of Respondent's nursing license, reinstatement of Respondent's nursing license shall be contingent upon this Consent Agreement and Final Order remaining in effect until Respondent completes each of the conditions and requirements of this agreement.

14. Based upon this agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that the Respondent's license to practice nursing in Kansas is immediately suspended. The suspension will be stayed as long as the requirements and conditions of this agreement are met.

15. The Kansas State Board of Nursing will not take additional disciplinary action against respondent's nursing license for the violations stated above as long as respondent completes each of the following conditions and requirements:

**(a) Respondent shall return her current license card to the Board with this Consent Agreement. Respondent shall receive a license card which shall be issued with an "S" placed in the status code portion of the license card to indicate that the License is suspended with a Stay.**

**(b) The respondent shall immediately inform all employers and prospective employers of this Consent Agreement and Final Order.**

**(c) Respondent will Submit Reports from the respondent's employer to the attention of the Legal Division, Kansas State Board of Nursing, Landon state Office building, 900 S.W. Jackson, Suite 1051, Topeka Kansas 66612-1230 on the following schedule:**

Prior to Respondent securing employment that utilizes his or her nursing license respondent is to mail to the Kansas State Board of Nursing a statement indicating that respondent has not yet secured employment which utilizes respondent's nursing license. This statement is due by the 10th day of each month beginning the next month after signing this consent agreement.

Once respondent is employed in a position that utilizes his or her nursing license, or if respondent is currently employed in a position that utilizes his or her nursing license, a nursing performance report is due by the 10th day of every third Month until respondent has caused the submission of four (4) separate nursing performance reports.

The report shall be prepared and signed by respondent's immediate supervisor or by an R.N. who evaluates respondent's performance on a regular basis and be based on the following guidelines:

- (1) Incorporation of information on facility stationary is preferred.
- (2) Letter format is acceptable, with date of the report identified.
- (3) Evaluator's name, telephone number, address, license number and nursing credentials.
- (4) Respondent's name, address, telephone number, license number.
- (5) A short explanation of the respondent's work performance in the following areas:
  - (a) Standards met regarding facility polices and procedures.
  - (b) Compliance with the Kansas Nurse Practice Act,
  - (c) Supervisor evaluations,
  - (d) Overall appropriateness.
  - (e) Interactions with patients.

**(f) Interactions with staff and administration.**

Respondent may choose to use a Nursing Performance Report Form which can be obtained from the KSBN website. ([www.ksbn.org](http://www.ksbn.org))

**(d) Respondent shall send a money order for \$70 to the Board upon entering into this agreement to pay the cost of this action.**

**(e) Respondent shall not violate the Kansas Nurse Practice Act during the duration of this agreement.**

**(f) Respondent shall not violate the laws of the United States, of State, or of any political subdivision of any State during the term of this agreement.**

**Traffic infractions shall not be considered violations of the law.**

**(g) Respondent will complete six (6) hours of Continuing Nurses Education (CNE) on the topic of "Documentation." Respondent is to submit the original certificates for proof of the completion of the hours within 60 days of entering this agreement. Respondent may not use these hours to meet the CNE requirements of any renewal period.**

**(h) Respondent shall not be employed as a Director of Nursing during the term of this agreement.**

**(i) Respondent agrees to practice under the supervision of an RN during the term of this agreement.**

**(j) Respondent agrees to notify the Legal Division of any changes in address and phone number as well as all employment terminations or employer changes or additions. All such notifications shall be made in writing within fourteen (14) days of such a change.**

16. Respondent acknowledges and agree that respondent is responsible for the costs related to satisfying the conditions and requirements of this Consent Agreement.

Respondent further acknowledges and agrees that to provide the Board with false information regarding compliance with this Consent Agreement is a violation of the Consent Agreement.

17. If respondent does not meet these conditions and requirements, the Kansas State Board of Nursing may request additional sanctions against respondent's license.

Respondent would be sent notice of such action and would be entitled to a hearing as to whether respondent has complied with this Consent Agreement, but respondent could not contest the violations listed in this agreement.

18. All parties understand that if an action based on failure to meet the conditions and requirements of this Consent Agreement is filed, K.S.A. 77-531 requires the Notice of Hearing to be served upon the respondent and the respondent's attorney of record, if any. All parties agree that only serving the Notice of Hearing upon the respondent will be proper service and it is the respondent's responsibility to contact his or her attorney, if any, in reference to the action.

19. Respondent acknowledges and agree that if any action based on failure to meet the conditions and requirements of this Consent Agreement is filed during the term of the Consent Agreement and Final order, or within 30 days after the expiration date, the conditions of this Consent Agreement and Final Order shall continue in effect until the Board or a hearing/presiding officer designated pursuant to K.S.A. 77-514 and K.S.A. 77-526, rules on the action.



20. Respondent acknowledges and agrees that upon a first finding of respondent not complying with any of the conditions or requirements of this Consent Agreement, The Stay of Suspension of Respondent's license to practice nursing in the State of Kansas, shall be lifted for a period of six months from the date of said finding. Respondent will not be allowed to practice nursing in the state of Kansas during the period of suspension. Respondent acknowledges and agrees that all conditions and requirements of this Consent Agreement remain in effect during the period of suspension,

21. Respondent acknowledges and agrees that upon a second or subsequent finding of respondent not complying with any of the conditions or requirements of this Consent Agreement the Stay of Suspension of Respondent's license to practice nursing in the State of Kansas, shall be lifted for a period of one year from the date of said finding. Respondent will not be allowed to practice nursing in the state of Kansas during the period of suspension.

22. Respondent acknowledges and agrees that upon the Stay of Suspension being lifted due to a finding of non-compliance with any of the conditions or requirements of this Consent Agreement, the Suspension will not again be Stayed until the respondent has, following the prescribed time period of suspension, provided written verification to the Board that respondent is in compliance and has remained in compliance during the period of suspension, with all conditions and requirements of this Consent Agreement. Upon the respondent providing said written verification the suspension will again be stayed.

23. The Board will inactivate this case file once respondent satisfies this agreement. This agreement does not prohibit the agency from taking disciplinary action against

respondent's license for any additional or cumulative violation of the Kansas Nurse Practice Act committed by the respondent before or after this agreement is entered into.

24. This agreement is a discipline and must be reported on any future renewal or reinstatement applications. This agreement is a contract entered into by the parties to resolve an investigative case. The original of this agreement shall be placed in the Agency Record. This Agreement is a public record and will be reported to national disciplinary data banks.


25. After successful completion of all of the conditions and requirements of this Consent Agreement by the respondent, the Consent Agreement will be satisfied and the case will be inactivated.

26. By signing this Consent Agreement and Final Order, respondent acknowledges that respondent has read and understands the entire document, and agrees to be bound by its terms. This Consent Agreement and Final Order constitutes the entire agreement of the parties and may not be modified except in writing and approved by all parties. The effective date of this Consent Agreement and Final Order is the date shown on the certificate of service.

27. The hearing/presiding officer whose signature appears below has been designated pursuant to K.S.A. 77-514 and K.S.A. 77-526 to act on behalf of the Board/agency head and to hear disciplinary cases on behalf of the Board/agency head to render either initial orders or final orders, if by agreement of both parties, in those discipline cases.

IN WITNESS WHEREOF, the parties hereto execute this CONSENT AGREEMENT  
AND FINAL ORDER

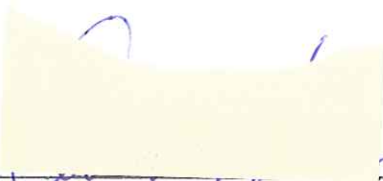
**IT IS SO ORDERED.**

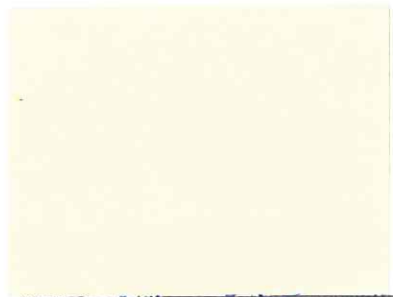
  
Angela R. Venables  
Respondent  
1462 K-4 Hwy  
Lindsborg, KS 67456

Angela R. Venables must sign before Notary Public



*Jill Barnes*

  
Alma A. Heckler, #11555  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson #1051  
Topeka, KS 66612



  
Sandra L. Sharon, Presiding Officer

CERTIFICATE OF SERVICE

On the 27<sup>th</sup> day of July, 2009, I mailed a copy of this CONSENT AGREEMENT AND FINAL ORDER to:

Angela R. Venables  
1462 K-4 Hwy  
Lindsborg, KS 67456

Ms. Jennifer Conkling Bazin  
Law Office of Carol Ruth Bonebrake, PA  
107 SW 6th, Suite 210  
Topeka, Kansas 66603



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