

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

FILED

JUN 16 2014

**IN THE MATTER OF**

**LACY SKINNER**

**License No. 13-102263-061**

KSBN

**Case No. 14-252-3**

**SUMMARY ORDER**

Now this 16th day of June, 2014, the above matter comes before the Kansas State Board of Nursing (Board) pursuant to authority granted to the Board by K.S.A. 65-1120. The Board hereby proposes to find facts and take disciplinary action against the registered nurse license of Lacy Skinner, (Licensee) by way of Summary Order as provided by K.S.A. 77-537.

**FINDINGS OF FACT**

1. (a) Licensee is licensed to practice nursing in the state of Kansas as a registered nurse through 6/30/2015. The Board has jurisdiction over the licensee and the subject matter of this action.

(b) Licensee's address of record is 1227 Red River, Clearwater, Kansas 67026.

(c) In Kansas State Board of Nursing (KSBN) Case No. 12-1931-7 and 12-1961-7 the licensee was employed by Via Christi Hospital in Wichita, Kansas on or about 8/6/2012. Licensee's employment was terminated and she was referred to the Kansas Nurse Assistance Program (KNAP) by Via Christi after concerns she diverted narcotics for her personal use. She failed to sign releases for KNAP and to complete the enrollment process. Licensee failed to respond to investigative letters from the Board.

(d) In KSBN Case No. 13-791-5 the licensee was employed by Wesley Hospital, Wichita, Kansas on or about 3/16/2013. Ten vials of Benadryl were missing from the drug dispensing system. Licensee had four (4) cancelled removals. On 3/18/2013, the drawer was filled by pharmacy. The next morning the drawer was checked and one vial of Benadryl was missing. The licensee was the only nurse who accessed the drawer. Licensee failed to respond to investigative letters from the Board.

(e) In KSBN Case No. 14-242-3 the licensee was working at the McPherson Hospital in McPherson, Kansas on 9/19/2013 and thereafter as an agency nurse. Licensee removed narcotics from the drug dispensing system without an order and reported she wasted all of the drugs after she removed the drugs from the system. Licensee also failed to administer a complete dose of potassium to a patient. The licensee was asked to return to the hospital on or about 11/1/2013 to complete a drug screen. Licensee did not return. Again, licensee failed to respond to the investigative letters from the Board.

## 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) 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;

(b) K.S.A. 65-1120(a)(3), to have committed an act of professional incompetency as defined in subsection (e); (1) one or more instances involving failure to adhere to the applicable standard of care to a degree which constitutes gross negligence, as determined by the board;

(c) K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the board; K.A.R. 60-3-110(d) inaccurately recording, falsifying, or altering any record of a patient or agency or of the board;

(d) K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the board; K.A.R. 60-3-110(n) diverting drugs, supplies, or property of any patient or agency;

(e) K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the board; K.A.R. 60-3-110(s) failing to complete the requirements of the impaired provider program of the board;

(f) K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the board; K.A.R. 60-3-110(t) failing to furnish the board, its investigators, or its representatives with any information legally requested by the board;

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

(h) K.S.A. 65-1120(a)(7), to have willfully or repeatedly violated the provisions of the Kansas Nurse Practice Act or any rules and regulations adopted pursuant to that act...;

3. Licensee's conduct described herein violates the Kansas Nurse Practice Act.

4. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency if the use of summary proceedings does not violate any provision of law, the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties, and the state agency believes in good faith, after investigation of the facts, that the allegations will be supported to the applicable standard of proof.

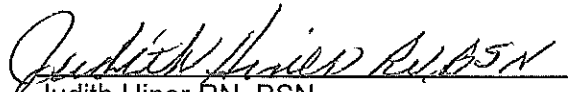
5. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

**IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT**

1. Licensee's license is revoked.
2. Licensee shall not practice nursing in the state of Kansas.
3. Licensee shall pay \$70.00 costs of this action to the Board within thirty (30) days of the effective day of this Order.

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, this Summary Order becomes effective as a final order, without further notice, upon the expiration of the time for requesting a hearing. If a hearing is requested, the prior issuance of a summary order shall not affect the burden of proof.

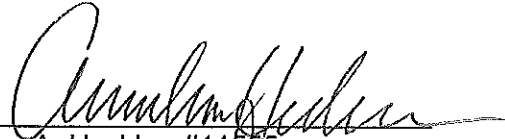
Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.

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

CERTIFICATE OF SERVICE

I certify that on the 16<sup>th</sup> day of June, 2014, 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:

Lacy Skinner  
1227 Red River  
Clearwater, Kansas 67026



Alma A. Heckler, #11555  
Assistant Attorney General