

Rex G. Beasley #08777  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson, Suite 551-S  
Topeka, Kansas 66612-1230

BEFORE THE KANSAS STATE BOARD OF NURSING  
LANDON STATE OFFICE BUILDING  
900 S.W. JACKSON, #551-S  
TOPEKA, KANSAS 66612-1230  
(785) 296-8401

IN THE MATTER )  
 )  
OF ) Case No: 95-0265-5  
 )  
BETRICE CANNON )  
LICENSE NO. 13-010270-121 )

**PROPOSED DEFAULT ORDER**

On the 17<sup>th</sup> day of November, 1998 the above-captioned matter came on for a hearing before Terry E. Beck, the Board's designated Hearing Officer. The Petitioner appeared by and through Assistant Attorney General Rex G. Beasley Disciplinary Counsel for the Board. The Respondent Betrice Cannon did not appear.

Whereupon, the Hearing Officer asked the Petitioner if it was ready to proceed. Petitioner's counsel stated that the Board was ready and, pursuant to K.S.A. 77-520, made an oral motion for a default judgment based on the Respondent's failure to appear. In support of the motion, the Petitioner stated and showed the following:

1. Notice of the hearing date and time was duly served upon the Respondent at his last address known to the Board.

2. No request for a continuance was ever made. Respondent did not appear at the hearing.

3. The allegations of the petition are true.

**WHEREUPON**, the Hearing Officer made the following findings of fact and conclusions of law:

1. Respondent was given proper notice as required by law.

2. Respondent failed to appear and was in default.

3. The allegations in the petition are true. Since the issuance of the license,

Respondent has committed in violation of K.S.A. 65-1113, et seq., as follows:

a. Respondent was employed by an agency. She was sent to a care home to give a blood transfusion. Before she began the procedure Respondent was asked if she had the necessary consent forms. Respondent did not have the consent forms. Respondent lied and said she did have the forms.

b. After starting the procedure described in paragraph 5a, Respondent set the infusion at wide open and failed to monitor the patient.

c. After starting the procedure described in paragraph 5a Respondent was again questioned about the consent forms. She confessed that she did not have the consent forms and then abandoned the patient when she left the care home on two occasions to search for a consent form. Nurses at the care home had to correct the Respondent's grossly negligent conduct.

d. Later when Respondent returned to the care home she was asked about the rate of infusion. She did not know the drip rate but stated that the infusion should take an hour to complete.

e. The Respondent's notes reflect that at some point the patient began choking and became cyanotic. Respondent failed to report that incident to the staff at the care home or the doctor.

f. Respondent was given the opportunity, by the Board, to avoid more formal disciplinary proceedings by obtaining three additional hours of continuing nursing education pertaining to legal issues in nursing and six additional hours pertaining to blood transfusion. Respondent was given the option of writing a paper in lieu of the six hour course on blood transfusion. Respondent agreed to that proposal during an informal interview with the Board. Respondent did not comply.

G. Notwithstanding the disciplinary matter referred to in paragraph 5f, Respondent falsely stated in her renewal application on October 14, 1997 that no disciplinary action had ever been taken against her license.


6. Respondent's actions constitute violations of the Kansas Nurse Practice Act K. S. A. 65-1120(a)(1); K. S. A. 65-1120(a)(3); K. S. A. 65-1120(a)(6); K. S. A. 65-1120(a)(7); and other applicable rules, regulations and guidelines, and the public's trust, for which she should be disciplined.

5. The Board's motion and petition should be granted.


6. Respondent's renewal application for a license to practice nursing in Kansas should be denied.

**IT IS THEREFORE ORDERED** that the Respondent's renewal application for a license to practice nursing in Kansas should be, and is hereby, denied. Respondent may not practice nursing in the state of Kansas. Respondent may not hold herself out as, or represent herself to be, a nurse in the State of Kansas. Respondent shall immediately surrender her license card and all other evidence of licensure to the Board. Costs of the action in the sum of \$35.00 are hereby taxed to Respondent to be paid to the Board by cash, or money order, within 30 days of the effective date of this Order.

**IT IS SO ORDERED.**

  
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Terry E. Beck  
Hearing Officer

PREPARED AND SUBMITTED BY:

  
\_\_\_\_\_  
Rex G. Beasley  
Disciplinary Counsel

NOTICE REGARDING THIS PROPOSED DEFAULT ORDER

This is a Proposed Default Order. The party against whom it is issued may file a written motion within seven (7) days after service, requesting that the Proposed Default Order be vacated and stating the grounds relied upon. Unless a written motion to vacate is filed, the Proposed Default Order shall become effective after expiration of the time Stated above. If a motion to vacate a Proposed Default Order is timely filed, the Presiding Officer shall either vacate the Proposed Order or issue the Default Order as proposed. If the Hearing Officer issues a Default Order as proposed, the Order shall become effective upon service.


CERTIFICATE OF SERVICE

This is to certify that on the 17th day of November, 1998, I deposited a true and correct copy of the Proposed Default Order in the United States Mail, first class mail, postage prepaid to the following:

Betrice Canon  
3345 Woodland  
Wichita, Kansas 67204-4324

and by hand delivery to:

Rex G. Beasley  
Assistant Attorney General  
Kansas State Board of Nursing  
900 S.W. Jackson Rm 551-S  
Topeka, Kansas 66612-1230

  
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Diane M. Glynn, J.D., R.N.  
Practice Specialist