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

IN THE MATTER OF
MIKALA LENAY SCHEELE- THOMAS
License No. 13-103632-052
Case No: 10-1062-9

SUMMARY ORDER TO REVOKE

Now this 11th day of June, 2012, 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 Mikala Lenay Scheele-Thomas, (Licensee) by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. a. Licensee was licensed to practice nursing in the state of Kansas as a registered nurse through 5/31/2012 and let her license lapse. The Board has jurisdiction over the Licensee and the subject matter of this action.
- b. Licensee's address of record is 111 NE 5th, Abilene, Kansas 67410.
- c. Licensee called in prescriptions for herself while employed at Clay Center Family Physicians, Clay Center, Kansas. She was employed from 10/1/2008 to 8/10/2010. Licensee admitted that she thought she needed the medications and her physician would not write the prescriptions for her. She wrote several prescriptions and some for for Lortab and Valium. Licensee used another nurse's name and password to order the prescriptions and then deleted the information from the facility computers.
- d. An investigation by the facility indicated that the Licensee ordered prescriptions on her behalf from at least two pharmacies. Licensee picked up 8 Lortab prescriptions, 30 tablets each, from April to August 2010. Licensee picked up 3 prescriptions for Valium, 120 tablets each, in May, June and August 2010. Licensee also picked up prescriptions for Lasix, Tetracycline and Clonidine. Clonidine may be used to treat medical conditions, such as high blood pressure, some pain conditions, ADHD and anxiety/panic disorder. All of the medications are controlled substances.
- e. Licensee self referred to the Kansas Nurse Assistance Program (KNAP) but failed to enroll and her case was closed on or about October 4, 2010. Licensee was again referred to KNAP by the Board in December of 2010. Licensee entered KNAP on or about 3/31/2011 for one year.
- f. Licensee was non-compliant with KNAP in October 2011, January 2012 and February 2012. Licensee missed a UDS each time. Licensee failed to tell her supervisor of her involvement in KNAP in April of 2011.
- g. Licensee let her license to practice nursing lapse on 5/31/2012 and her KNAP case was closed on 6/4/2012.


- h. Licensee failed to successfully complete KNAP.
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)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the board; K.A.R. 60-3-110(a) performing acts beyond the authorized scope of the level of nursing for which the individual is licensed.
- (b) K.S.A. 65-1120(a)(4), to be unable to practice with skill and safety due to current abuse of drugs or alcohol;
- (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(s) failing to complete the requirements of the impaired provider program of the board.
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.**

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.

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

CERTIFICATE OF SERVICE

I certify that on the 11th day of June, 2012, the foregoing copy of the Summary Order to Revoke was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Mikala Lenay Scheele-Thomas
111 NE 5th
Abilene, Kansas 67410


Alma A. Heckler
Alma A. Heckler, #11555
Assistant Attorney General