

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

FILED

DEC 30 2014

IN THE MATTER OF CYNTHIA KAY KEYS

KSBN

License No. 13-104898-021

Case No. 10-1368-5

SUMMARY ORDER

NOW ON THIS 30th day of December, 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 proposed to find facts and take disciplinary action against the renewal application of Licensee by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. Licensee is licensed to practice nursing in the state of Kansas. The Board has jurisdiction over the Licensee and the subject matter of this action.
2. Licensee's address of record is 10402 W. Yosemite Wichita, Kansas 67215.
3. On or about 24th day of March, 2014, the Board reviewed this investigation.
4. Review of the information gathered by the Board revealed the following information upon which this action is based.
5. According to a report:
 - a. Licensee was employed by Wichita Surgical Specialist, this licensee is alleged to have forged various narcotic prescriptions and other medication.
 - b. These prescriptions were used to fill the various prescriptions alleged to have been ordered.
 - c. The physicians indicated that they did not order or prescribe these medication and that medications prescriptions were forged.
 - d. This incident allegedly occurred on or about the 14th day of October 2010.

e. The investigator in this case contacted the licensee on the 3rd day of January, 2014 and licensee failed to respond.

CONCLUSIONS OF LAW

1. 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 authorization, if the Licensee, licensee or holder of a certificate of qualifications or authorization is found to have violated the Nurse Practice Act. The above fact findings established evidence that the Licensee violated the following provisions of the Nurse Practice Act:

a. K.S.A. 65 1120(a)(1) unprofessional conduct by fraud or deceit in practicing nursing.

b. K.S.A. 65-1120(a)(6), unprofessional conduct, by inaccurately recording, falsifying or altering documents.

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

d. K.S.A. 65-1120 (a)(6) to be guilty of unprofessional conduct by failing to furnish the board, its investigators, or its representatives with any information legally requested by the board KAR 60-3-110 (t).

Licensee's conduct described herein violated the Kansas Nurse Practice Act and renders the Licensee non-qualified for his/her license.

3 K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the summary proceedings does not violate any provision of law and the protection of the public interest does not require the state agency to give notice and opportunity to participate to persons other than the parties.

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

POLICY STATEMENT


1. Truthfulness is a hallmark of the nursing profession and is required to ensure accurate communication of all nursing actions.
2. Trust is imperative in the nursing profession and fraud in the acquisition of/and or use and abuse of prescription medication tend to damage this trust and impair the nursing profession.
3. Failure to respond to KSBN during investigation is damaging to the nursing profession and prevents KSBN from fulfilling their mission to protect the public.

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

1. **Licensee's license to practice nursing is revoked.**
2. **Upon reinstatement in addition to the submission of the proper forms, fees and documentation of 30 hours of CNE, the Licensee will be required to submit proof of completion of a course of CNE that teaches about the Kansas Nurse Practice Act.**

Pursuant to K.S.A. 77-537, the decision, which is called a Summary Order, is subject to your request for 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.


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

On the 30th day of December, 2014, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Cynthia Kay Keys
10402 W. Yosemite
Wichita, Kansas 67215


Michael R. Fitzgibbons #12287
Assistant Attorney General