

April 9, 2009

Kelli B. Vanden Broeder
429 West 8th Street
Concordia, KS 66901

Case No. 09-058-3
License No. 13-105532-031

SUMMARY ORDER

Dear Ms. Vanden Broeder:

The Investigative Committee of the Kansas State Board of Nursing (KSBN) has reviewed the above reference case file. It is the decision of the Board that your license to practice nursing in the state of Kansas as a registered nurse be revoked. This revocation is based upon the following:

FINDINGS OF FACT

1. K.S.A. 65-1115, sets forth the requirements for licensure as a professional nurse (RN) in the state of Kansas. K.S.A. 65-1115(a)(2) requires graduation from an approved school of professional nursing. The Associate of Applied Science degree in Nursing program, at Cloud County Community College, Concordia, Kansas is an approved school of professional nursing.

On or about 5/29/2007, Respondent enrolled in the Associate of Applied Science degree in Nursing program, at Cloud County Community College, Concordia, Kansas.

During the 2006-2007 Academic Year summer session, Respondent enrolled in English Composition I. Successful completion of English Composition I, is a requirement for completion of the Associate of Applied Science degree in Nursing. Respondent received a grade of "F" in the course and did not successfully complete the course.

On or about 4/23/2008, the KSBN received Respondent's application to practice nursing in the state of Kansas as a registered nurse.

On or about 6/11/2008, the KSBN received a transcript from Cloud County Community College which incorrectly showed Respondent completed the Associate of Applied Science degree in Nursing on 5/16/2008.

On or about 7/8/2008, the KSBN issued Respondent a license to practice nursing in the Kansas as a registered nurse based on the incorrect information provided by Cloud County Community College.

On or about 8/4/2008, Cloud County Community College notified the KSBN that an error had been made and that Respondent had not successfully completed the requirements to obtain the Associate of Applied Science degree in Nursing.

Cloud County Community College reported Respondent was made aware of the error on her transcript prior to 8/12/2008 by Cloud County Community College staff.

As a result of not successfully completing the Associate of Applied Science degree in Nursing program, Respondent did not meet the qualifications for obtaining a license to practice nursing in the state of Kansas at the time said license was granted by the KSBN. To date Respondent has not met the qualifications for obtaining a license to practice nursing in the state of Kansas as outlined in K.S.A. 65-1115.

On or about 3/5/2009, KSBN staff notified Respondent by letter addressed to her address of record that she was licensed in error, to stop practicing as a registered nurse, and to return the registered nurse license card to the KSBN by 3/16/2009. Respondent has not responded to correspondence and has not returned the registered nurse license card.

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)(3), Professional Incompetency by K.S.A. 65-1120(e)(3), a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing.

(b) 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.

(c) 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, by K.S.A. 65-1115(a) failing to meet the qualifications for licensure as a professional nurse.

3. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency when denying an application in whole or in part.

4. Your conduct described herein violates the Kansas Nurse Practice Act.

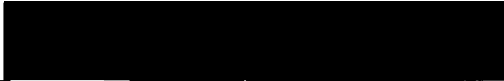
5. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

6. If you wish to dispute this matter, contact the Board immediately by following the procedure for requesting a hearing. A copy of your application will be sent to you upon request.

7. 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 upon the expiration of the time for requesting a hearing.

8. 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.



Janet Jacobs, LPN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 14th day of April, 2009, 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:

Kelli B. Vanden Broeder
429 West 8th Street
Concordia, KS 66901

Mark A. Knight, #12183
Assistant Attorney General