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BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

FILED DATE

IN THE MATTER OF JAMIE RENEE WEST

APR 01 2015

License No 13-113457-052

KSBN

30 MAR '15 PM 2:00

Case No. 12-2265-1

INITIAL ORDER AND CONSENT AGREEMENT TO SURRENDER AND REVOKE LICENSE

NOW ON THIS 30th day of March, 2015, the Kansas State Board of Nursing, represented by Assistant Attorney General, Michael R. Fitzgibbons, and the Licensee, Jamie Renee West, hereby enter into this agreement and proffer evidence and the hearing officer adopts those recommendations and makes the following findings of fact and orders:

AGREED FINDINGS OF FACT

The Board makes the following findings of fact based on the evidence presented and statements of the parties.

1. Licensee is licensed to practice nursing in Kansas through May, 2016. The Kansas State Board of Nursing (KSBN) has jurisdiction over the licensee and the subject matter of this action.
2. Licensee's address of record 1657 Roosevelt Street Liberal, Kansas 67901.
3. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120 is established.
4. That a petition has been filed to take disciplinary action against the licensee's license.

5. Following the petition being filed by the Board, a hearing would be set at which time the Board would have to prove that licensee violated K.S.A. 65-1120(a)(3), K.S.A. 65-1120(e)(3), K.S.A. 65-1120(a)(6), K.A.R. 60-3-110(n) and K.S.A. 65-1120(a)(4).

6. Licensee has the right to these hearings and the right to seek review of the findings from the hearings in accordance with the Kansas Administrative Procedure Act and the Act for Judicial Review and Civil Enforcement of agency actions. Licensee is waiving those rights and knowingly and voluntarily entering into this agreement instead of proceeding to these hearings. This agreement will conclude Board action pending at this time against licensee's license.

7. Licensee understands that pursuant to K.S.A. 77-515, licensee may be represented at licensee's expense by, an attorney during these proceedings.

CONCLUSIONS OF LAW

8. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120(a) is established.

POLICY STATEMENT

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

DISPOSITION

10. Based upon this agreement and final order, the parties agree that Licensee is surrendering licensee's license to practice nursing in the state of Kansas.

11. Based upon this agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that Licensee's license to practice nursing in Kansas is immediately surrendered and terminated. Licensee shall not practice nursing in the state of Kansas.

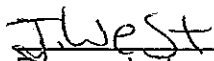
12. If licensee does seek reinstatement of licensee's license, the facts and listed violations will be reviewed, licensee has the right to a hearing on the facts in this matter, however to receive a reinstatement of licensee's license the licensee will have the opportunity at that time to prove licensee's fitness to practice nursing in Kansas.

13. The hearing/presiding officer whose signature appears below has been designated pursuant to K.S.A. 77-514 and K.S.A. 77-526 to act on behalf of the Board/agency head and to hear discipline cases on behalf of the Board/agency head and to render either initial orders or final orders, if by agreement of both parties, in those discipline cases.


14. By their signatures, the parties hereby acknowledge this agreement.

IN WITNESS WHEREOF, the parties hereto execute this FINAL ORDER AND CONSENT AGREEMENT TO SURRENDER AND REVOKE LICENSE.

IT IS SO ORDERED.

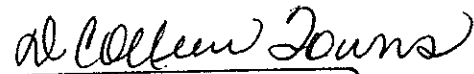
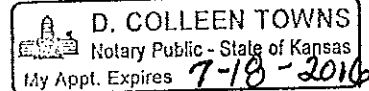


Respondent
Jamie Renee West
1657 N. Roosevelt St
Liberal Kansas 67901



Michael R. Fitzgibbons #12287
Assistant Attorney General
Kansas State Board of Nursing
Landon State Office Building
900 SW Jackson #1051
Topeka, KS 66612

_____ must sign before a Notary Public.



Sandra L. Sharon
Administrative Law Judge/Presiding Officer
Office of Administrative Hearings
1020 S Kansas Ave.
Topeka, KS 66612-1327

Pursuant to K.S.A. 77-527, either party may request a review of this final order by filing a petition for reconsideration with the Kansas State Board of Nursing. A petition for reconsideration must be filed with 15 days from the date this final order was served. Failure to timely request a reconsideration by the Kansas State Board of Nursing may preclude further

judicial review. The petition for reconsideration shall be mailed or personally delivered to: Mary Blubaugh, Executive Director, Board of Nursing, Landon State Office Building, Suite 1051, 900 SW Jackson, Topeka, KS 66612-1230.

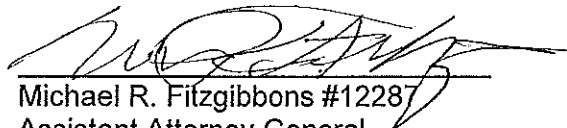
Pursuant to K.S.A. 77-531, if the final order is served by mail, three days are added to the time limits set out above.

Pursuant to K.S.A. 77-530, if a request for reconsideration is not requested in the time and manner stated above, this initial order shall become effective as a final order 30 days after service.

CERTIFICATE OF SERVICE

On the 1st day of April, 2015 I mailed a copy of this INITIAL ORDER AND CONSENT AGREEMENT TO SURRENDER AND REVOKE LICENSE to:

Jamie Renee West
1657 N. Roosevelt St
Liberal Kansas 67901


Michael R. Fitzgibbons #1228
Assistant Attorney General

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

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MAR 06 2015

IN THE MATTER OF JAMIE RENEE WEST

KSBN

License No 13-113457-052

Case No. 12-2265-1

PETITION

COMES NOW the petitioner, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Michael R. Fitzgibbons, and for its cause of action states that:

1. Respondent, Jamie Renee West, is license to practice nursing in Kansas. The Board has jurisdiction over the respondent and the subject matter of this action.
2. Respondent's address of record 605 W. 6th Street Apt 4 Liberal Kansas 67901
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that the respondent violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
4. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120(a) is established.

ACTS COMMON TO ALL COUNTS

5. The facts below are common to all counts:
 - a. According to a report, it is alleged that while licensee was employed at Meade District Hospital, Meade Kansas, licensee diverted medication for her personal use.
 - b. This incident occurred on or about the 5th of March, 2012 to the 23rd of June, 2012.
 - c. Licensee was referred to and entered KNAP.

- d. Licensee's KNAP case was closed due to non compliancy.
- e. Licensee re entered KNAP on or about the 4th day of February 2014.
- f. Licensee admitted to abusing her prescription of Adderall and was taking more than prescribed.
- g. Licensee submitted a positive UDS on the 8th day of Decmember 2014 for Hydrocodone and Morphine.
- h. Licensee has voiced that she wishes to surrender her license and to move to Florida to open a restaurant.

VIOLATIONS

6. Respondent has violated the Kansas Nurse Practice Act as follows:

Count 1 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.

Count 2: K.S.A. 65-1120(a)(6), unprofessional conduct, by drug diversion K.A.R. 60-3-110(n) in past conduct;

Count 3: K.S.A. 65-1120(a)(4) unable to practice with skill and safety due to current abuse of drugs or alcohol.

WHEREFORE, petitioner requests a finding that the Respondent has violated the Nurse Practice Act, that respondent's license to practice nursing in Kansas be revoked, and that costs of this action be assessed to the respondent in the amount of \$70.00.

Respectfully submitted,

Derek Schmidt
Kansas Attorney General

By: 

Michael R. Fitzgibbons #12287
Assistant Attorney General
Kansas State Board of Nursing
Landon State Office Building
900 SW Jackson #1051
Topeka, KS 66612