

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

FILED

DEC 09 2014

**IN THE MATTER OF MARIA LAYLE THOMPSON**

**License No. 13-116979-032 AND 23-38804-032**

**KSBN**

**Case No. 14-1302-7**

**SUMMARY ORDER**

NOW ON THIS 9<sup>th</sup> 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 licensee's license by way of Summary Order as provided by K.S.A. 77-537.

**FINDINGS OF FACT**

1. This 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 20943 W. 224<sup>th</sup> St, Spring Hill, Kansas 66083.
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. Review of the information gathered by the Board revealed the following upon which this action is based.
  - (a) According to a report, it is alleged that when you completed a Background check Authorization Form for employment at the Golden Living Center Spring Hill, Kansas, licensee documented that she completed a Diversion for a 2007 misdemeanor theft charge.
  - (b) The Diversion was actually revoke and licensee was convicted of this misdemeanor offense on the 29<sup>th</sup> day of April, 2009.

- (c) On or about the 14<sup>th</sup> day of September, 2012, licensee voluntarily submitted to reasonable suspicion urine drug screen for the above facility, per policy.
  - (d) The urine drug screen was positive for Hydrocodone, Hydromorphone, Oxycodone and Oxymorphone.
  - (e) Licensee admitted to this employer that she had a Percocet and Lortab prescription.
  - (f) Licensee failed to produce a prescription bottle to the employer for review or provide proof from any pharmacy of a currently filled prescription.
  - (g) It is alleged that licensee actually diverted these controlled substances from this employer for her own use.
  - (h) Licensee was terminated from employment in October, 2012.
  - (i) Investigator made efforts to contact licensee and there were no responses.
  - (j) License was revoked by Summary Order on the 10<sup>th</sup> day of October, 2013.
  - (k) Licensee submitted an application for reinstatement on the 3<sup>rd</sup> day of April, 2014.
  - (l) In application, licensee answered "yes" to misdemeanors but claims convictions were expunged with no proof to KSBN.
  - (m) Answered yes to pending disciplinary actions on her driver's license without providing documentation.
  - (n) On reason for leaving, licensee answered "better opportunity" when in fact, licensee was terminated from employment at multiple facilities.
5. This Licensee violate the Nurse Practice Act by unprofessional conduct by diversion of drugs and abuse/use of drugs and inaccurately recording, falsifying application and failure to take appropriate action.

#### CONCLUSIONS OF LAW

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

b. K.S.A. 65-1120(a)(6) and KAR 60-3-110 (c) unprofessional conduct by failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.

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

6. 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.

5. The above fact findings established evidence that the Licensee violated the following provisions of the Nurse Practice Act:

Count 1: K.S.A. 65-1120 (3) to be guilty of unprofessional conduct failing to furnish the board, its investigators, or its representative with any information legally requested by the board KAR 60-3-110 (t).

Count 2 K.S.A. 65-1120(a)(6) and KAR 60-3-110 (c) unprofessional conduct by failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.

Count 3: K.S.A. 65-1120(a)(6), unprofessional conduct, by inaccurately recording, falsifying or altering documents.

K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the summary proceedings do not violated 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.

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

**POLICY STATEMENT**

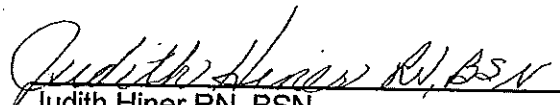
1. Use and/or abuse to prescription is an indication that nurse is unable to safely practice nursing.
2. Accurate records are essential for good nursing practice.
3. Truthfulness is the hallmark for the nursing profession.

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

1. **Licensee's application to reinstate her license to practice nursing in the state of Kansas is denied.**

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.

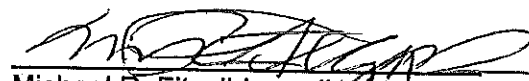
Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.

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

**CERTIFICATE OF SERVICE**

On the 9<sup>th</sup> day of December, 2014, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Maria Layle Thompson  
20943 W. 224<sup>th</sup> Street  
Spring Hill, Kansas 66083

  
Michael R. Fitzgibbons #12287  
Assistant Attorney General