

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

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JUN 02 2015

**IN THE MATTER OF JENNIFER LEE BURNS**

**License No 13-117554-062**

KSBN Legal

**Case No. 14-1712-5**

**SUMMARY ORDER**

NOW ON THIS 2<sup>nd</sup> day of June, 2015, 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 2236 Russell Ave Kansas City Kansas 66104.
3. On or about 23rd day of March, 2015, the Board reviewed this case.
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) While Licensee was employed at American Traveler Staffing Professionals and working on assignment at Via Christi, Wichita, Kansas licensee was found sleeping by staff trying to locate her regarding patients care.
  - (b) It is also alleged that licensee practice beyond the scope of her licensee when licensee failed to restart a medication for more than five hours after patient removed their IV.
  - (c) This incident allegedly occurred on or about the 29<sup>th</sup> of May 2014.

(d) Licensee's contract was terminated early on the 2<sup>nd</sup> day of June 2014 at the request of Via Christi.

(e) KSBN investigator contacted licensee on the 29<sup>th</sup> day of December 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.
2. The above fact findings established evidence that the Licensee violated the following provisions of the Nurse Practice Act:
  - a. K.S.A. 65-1120 (e) (3) professional incompetence as defined as a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing
  - b. K.S.A. 65-1120(a)(3) to have committed an act of professional incompetency as defined in subsection (e) in practicing outside of the scope of license.
  - c. K.S.A. 65-1120 (3) to be guilty of unprofessional conduct as defined as defined by rules and regulations of the board by failing furnish the board, its investigators, or its representative with any information legally requested by the board K.A.R. 60-3-110 (t)
- 3 Licensee's conduct described herein violated the Kansas Nurse Practice Act and renders the Licensee non-qualified for obtaining a renewal of his/her license.

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

**POLICY STATEMENT**


1. The pattern of practice shows an inability to practice nursing is a danger to the public.
2. Practice beyond the scope of her license poses a detriment to the nursing profession.

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

1. **Licensee's license to practice nursing in the state of Kansas 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.

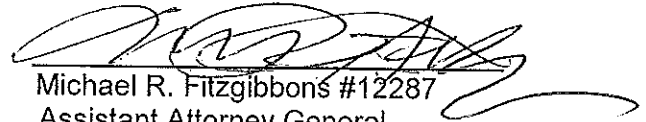
Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.

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

CERTIFICATE OF SERVICE

On the 2nd day of ~~May~~ <sup>June</sup>, 2015, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Jennifer Lee Burns  
2236 Russell Ave  
Kansas City Kansas 66104

  
Michael R. Fitzgibbon's #12287  
Assistant Attorney General