

BEFORE THE KANSAS STATE BOARD OF NURSING

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

IN THE MATTER OF
Lynnette Kay Radford

Case No. 14-961-3
License No. 13-122661-081 /Reinstatement

CONSENT AGREEMENT AND FINAL ORDER

The Kansas State Board of Nursing, represented by Assistant Attorney General Bryce D. Benedict, and the Respondent, Lynnette Radford, hereby enter into this agreement and proffer evidence and the hearing officer adopts those recommendations and makes the following findings of fact and orders:

1. Respondent has filed an application for reinstatement. The Kansas State Board of Nursing (KSBN) has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent understands that she may be represented at respondent's expense by an attorney during these proceedings.
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. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.
5. Respondent has the right to a hearing with evidence and witnesses and to seek review of the findings from that hearing in accordance with the Kansas Administrative Procedure Act and the Act for Judicial Review and Civil Enforcement of agency actions. Respondent is waiving those rights and voluntarily entering into this agreement instead of proceeding to such a hearing.

By entering into this Consent Agreement and consenting to the entry of the Final Order, both parties waive their right to full administrative proceedings pursuant to K.S.A. 65-1120 and K.S.A.77-501 et seq. and to judicial review.

DISPOSITION

6. The respondent agrees to the following requirements:

(a) The respondent shall inform all employers and prospective employers of this Consent Agreement and the Final Order. This requirement shall last until such time as the KSBN inactivates this case as set out below.

(b) Respondent shall send a money order for \$100.00 to the Board upon entering into this agreement to pay the cost of this action.

(c) Respondent shall not violate the Kansas Nurse Practice Act during the duration of this agreement.

(d) Respondent shall not violate the laws of the United States, or State, or of any political subdivision of any State during the term of this agreement. Traffic infractions shall not be considered violations of the law.

(e) (i). **Applicant shall obtain within thirty days, and provide documentation to the Legal Department, Kansas State Board of Nursing, completion of (1) the two hour *The Nurse Practice Act: An Overview for Nurses* home study CNE available online through the Via Christi Regional Medical Center:**

<https://www.viachristi.org/health-professionals/nursingallied-health/cne-wichita>

Any CNE required to be completed to satisfy this agreement WILL NOT apply to the 30 CNE hours required for the next registration period.

(ii). **Applicant shall not practice unsupervised. A RN must be supervised by a RN. Supervised practice requires the supervisor to be on site with the ability to spot check the applicant's work.**

(iii). **Applicant shall not work in home health, or for any agency.**

(iv). Applicant shall not violate the Kansas Nurse Practice Act during the term of this agreement.

(v). Applicant understands and agrees that if this diversion agreement is revoked, the clauses waiving all time limitations, and the stipulation of violations and facts upon which the violations are based will remain in effect.

(vi). Applicant will pay to the Kansas Board of Nursing the cost of the action in the amount of \$100.00 upon entering this diversion agreement, and this agreement shall not be effective unless such costs are paid at the time it is entered.

(vii). Applicant is responsible to arrange for his or her employer to submit quarterly performance reports to the attention of the Legal Division, Kansas State Board of Nursing, Landon State Office Building, 900 S.W. Jackson, Suite 1051, Topeka, Kansas 66612-1230 on the following schedule: the 10th day of each of the months of January, April, July, and October, to begin with the first such month that occurs after the date of this Agreement, *and continuing until four such reports have been received.*

The report shall be prepared and signed by applicant's immediate supervisor who evaluates applicant's performance on a regular basis, and be based on the following guidelines:

(1) The report shall be on the employer's letterhead stationery. *The report must be sent directly by the employer; it is not acceptable for the licensee to mail these reports.*

(2) Letter format is acceptable, with the date of the report identified.

(3) Evaluator's name, telephone number, address, license number and nursing credentials.

(4) Applicant's name, address, telephone number, license number.

(5) A short explanation of the applicant's work performance in the following areas:

(i) Standards met regarding facility policies and procedures.

(ii) Compliance with the Kansas Nurse Practice Act.

(iii) Supervisor evaluations.

- (iv) Overall appropriateness.
- (v) Interactions with patients.
- (vi) Interactions with staff and administration.

If the applicant is not employed in a position that utilizes her nursing license, then applicant will provide a signed statement to that effect, and which will be due on the same quarterly basis as the employer reports described above.

7. The Board will reinstate the respondent's license, subject to the limitations on her scope of practice in Kansas as stated above.
8. Based upon this agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that this Consent Agreement and Final Order will continue through any renewal periods of respondent's nursing license until respondent completes each of the conditions and requirements of this agreement. Further, the parties agree that in the event of a lapse of Respondent's nursing license, reinstatement of Respondent's nursing license shall be contingent upon this Consent Agreement and Final Order remaining in effect until Respondent completes each of the conditions and requirements of this agreement.
9. Respondent acknowledges and agrees that Respondent is responsible for the costs related to satisfying the conditions and requirements of this Consent Agreement and Final Order. Respondent further acknowledges and agrees that to provide the Board with false information regarding compliance with this Consent Agreement is a violation of this Consent Agreement and Final Order.
10. If Respondent does not meet these conditions and requirements, the Kansas State Board of Nursing may request additional sanctions against Respondent's license or application for a license.

11. The Board will inactivate this case file once respondent satisfies this agreement. This agreement does not prohibit the agency from taking disciplinary action against Respondent's license for any additional or cumulative violation of the Kansas Nurse Practice Act committed by the Respondent before or after this agreement is entered into.

12. This agreement is a discipline and must be reported on any future renewal or reinstatement applications. The original of this agreement shall be placed in the Agency Record. This Agreement is a public record and will be reported to national disciplinary data banks.

13. By signing this Consent Agreement and Final Order, Respondent acknowledges that Respondent has read and understands the entire document, and agrees to be bound by its terms. This Consent Agreement and Final Order constitute the entire agreement of the parties and may not be modified except in writing and approved by all parties. The effective date of this Consent Agreement and Final Order is the date shown on the certificate of service.

14. The 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.

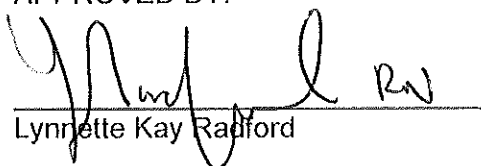
15. Disciplinary counsel shall serve a copy of this order upon the respondent.

IT IS SO ORDERED.

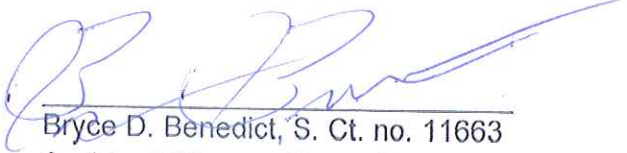


Judith Hiner, Presiding Officer
Chair, Investigative Committee
Kansas State Board of Nursing

APPROVED BY:



Lynnette Kay Radford

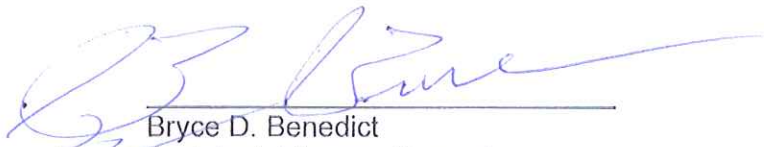


Bryce D. Benedict, S. Ct. no. 11663
Assistant Attorney General
Kansas State Board of Nursing
Landon State Office Building
900 SW Jackson #1051
Topeka, KS 66612

CERTIFICATE OF SERVICE

On the 3/5 day of March, 2017, I mailed a copy of this CONSENT AGREEMENT AND FINAL ORDER to:

Lynnette Radford
1150 S. Birch
#3-204
Denver CO 80246



Bryce D. Benedict
Assistant Attorney General