

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

**IN THE MATTER OF**  
**BETH M. WARD**  
License No. 13-21963-042

**FILED**

**FEB 23 2011**

**KSBPN**

Case No. 10-1181-9

**PROPOSED DEFAULT ORDER TO REVOKE LICENSE**

NOW ON THIS 22<sup>nd</sup> day of February, 2011, petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Alma A. Heckler, for a Hearing on the Petition. Respondent does not appear.

Wherefore, the Presiding Officer finds as follows:

1. Respondent is licensed to practice nursing in Kansas through 4/30/2012. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent was sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper. Respondent does not appear.
3. Petitioner moves for issuance of a proposed default order revoking respondent's license. The petitioner's request is granted by default pursuant to K.S.A. 77-520.
4. The petition is hereby granted and incorporated into this order as if set forth herein. Respondent violated the Nurse Practice Act as alleged in the petition.
5. Per petitioner's request, respondent's license to practice nursing is revoked. Respondent may not practice nursing in Kansas.
6. Costs of the action of \$70 are assessed to respondent to be paid to the board by cash or money order within 30 days of the effective date of this order.
7. The license renewal fee of \$60.00, and the returned check service fee of \$30.00, are assessed to respondent to be paid to the board by cash or money order within 30 days of the effective date of this order.

8. Respondent shall immediately forward his or her original Kansas license to the Kansas State Board of Nursing.

9. This Proposed Default Order shall become effective seven days after service or ten days after mailing of this order unless the Respondent files a written motion with the Board stating why the Proposed Default Order should be vacated and the order is then vacated.

10. If this Proposed Default Order becomes effective, the Respondent's request for administrative hearing is dismissed pursuant to K.S.A. 77-520(d).

11. Disciplinary counsel shall mail a copy of this proposed default order to respondent's last known address.

**IT IS SO ORDERED.**




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

#### NOTICE

Pursuant to K.S.A. 77-527, either party may request a review of this order by filing a petition for review with the Kansas State Board of Nursing. The petition for review shall state its basis. A petition for review must be filed within 7 days from the date this order becomes effective. Failure to timely request a review by the Kansas State Board of Nursing may preclude further judicial review. The petition for review shall be mailed or personally delivered to: State Board of Nursing - Legal Division, Landon State Office Building, 900 SW Jackson, Ste 1051, Topeka, KS 66612-1230.

Pursuant to K.S.A. 77-530, if neither party requests a review by the Kansas State Board of Nursing, then this initial order becomes final and binding on both parties on the 30<sup>th</sup> day following its service.

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




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Alma A. Heckler, #11555  
Disciplinary Counsel  
Kansas State Board of Nursing  
900 S.W. Jackson, Suite #1051  
Topeka, KS 66612-1230  
785-296-4325

**CERTIFICATE OF SERVICE**

I certify that on the 27th day of February 2011, the foregoing copy of the Proposed Default Order Revoking License was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Beth M. Ward  
731 Crawford, Apt 1C  
Clay Center, Kansas 67432



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Alma A. Heckler  
Assistant Attorney General

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Topeka, Kansas 66612-1230

**FILED**

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**IN THE MATTER OF  
BETH M. WARD  
License No. 13-21963-042**

**KSBN**

**Case No. 10-1181-9**

**PETITION**

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

1. Respondent, Beth M. Ward, is licensed to practice nursing in Kansas through 4/30/2012. The Board has jurisdiction over the respondent and the subject matter of this action.
2. For the purpose of service of this pleading, respondent's address of record is 731 Crawford, Apt 1C, Clay Center, Kansas 67432.
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(a) is established.

**FACTS**

4. (a) On or about 4/28/2010, Respondent's license to practice nursing in Kansas was renewed. Respondent submitted her license renewal online with an electronic transfer of funds through Kansas.gov. The online renewal process required the Respondent to input financial institution account information for the electronic transfer to occur for payment of the license renewal fee of \$60.00. Once Respondent authorized the electronic transfer of funds, Kansas.gov then transferred funds to the KSBN in the amount of \$60.00 for the license renewal fee.

(b) The KSBN was notified by Kansas.gov that the electronic transfer of funds for renewal of Respondent's license was returned unpaid by Respondent's financial institution on or about 5/5/2010. The Respondent's financial institution account was never debited \$60.00 for the renewal fee. The Respondent was sent written notification of the unpaid electronic transaction on 6/23/2010 and 8/10/2010. There has been no response from the Respondent.

**VIOLATIONS**

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

Count 1: 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.

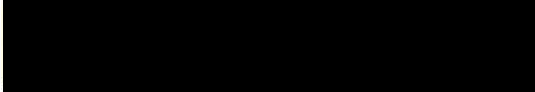
Count 2: K.S.A. 65-1120(a)(3), Professional Incompetency by K.S.A. 65-1120(e)(3), a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing.

WHEREFORE, petitioner requests a finding that the respondent has violated the Nurse Practice Act, payment of the license renewal fee of \$60.00, and returned check service fee of \$30.00, and revocation of respondent's license, and for respondent to be assessed the \$70.00 costs of this action. For a total amount assessed of \$160.00.

Respectfully submitted,

Stephen N. Six  
Kansas Attorney General

By:

  
Alma A. Heckler, #11555  
Assistant Attorney General