

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing Order was mailed to Patricia Carpenter, 1529 Topeka Avenue, Topeka, Kansas 66612, Attorney for Respondent, by United States Mail, first class postage prepaid, and to Timothy G. Madden, Assistant Attorney General, Kansas Judicial Center, Topeka, Kansas by State Building Mail, on this 21st day of March, 1984.

D
Dr. Lois Rich Scibetta, R.N., Ph.D. *e.n., Ph.D.*

BEFORE THE KANSAS STATE BOARD OF NURSING

IN THE MATTER)
))
 OF) CASE NO. 123
))
JODY GAFFNEY))
))
_____))

PETITION

COMES NOW the Kansas State Board of Nursing and initiates these proceedings under the provisions of K.S.A. 65-1120(b), and for its cause of action alleges and states:

1. The Kansas State Board of Nursing, hereinafter referred to as the "Board" has received a complaint, has investigated said complaint and has determined there are reasonable grounds to believe respondent has committed acts in violation of K.S.A. 65-1120(a) (2) and K.S.A. 65-1120(a) (6) as defined by K.A.R. 60-3-110(a) (9).

2. The Board has requested the Office of the Attorney General to prosecute this action. Robert T. Stephan is the duly elected and acting Attorney General for the State of Kansas.

3. Respondent's mailing address last known by the Board is Apartment 102F, 2324 Briarwood Place South, Topeka, Kansas 66611.

4. Respondent is, and has been, a registered nurse in the State of Kansas having been issued R.N. License No. 13-035025-031.

5. Since issuance of said license, respondent has committed acts in violation of K.S.A. 65-1120(a) (2) and K.S.A. 65-1120(a) (6) as defined by K.A.R. 60-3-1109(a) (9), to-wit:

Count 1

On or about the 9th day of August respondent demonstrated her lack of rehabilitation, for an offense involving moral turpitude, by obtaining darvon by fraud. Said act being in violation of K.S.A. 65-1120(a) (2).

Count 2

In the alternative, respondent diverted darvon from the pharmacy at Falley's, 29th and Burlingame, Topeka, Kansas, by deception on or about the 9th day of August. Said act being in violation of K.S.A. 65-1120(a) (6) as defined by K.A.R. 60-3-110(a) (9).

WHEREFORE, Petitioner prays the Board serve the Respondent with a copy of this Petition and Petitioner further prays that said hearing, upon evidence presented thereat, result in the Board finding and concluding that Respondent has committed acts of unprofessional conduct and that the Board take and impose such disciplinary action as it shall deem just and proper.

OFFICE OF THE ATTORNEY GENERAL
ROBERT T. STEPHAN



Timothy G. Madden
Assistant Attorney General
Kansas Judicial Center
Second Floor
Topeka, Kansas 66612
(913) 296-2215

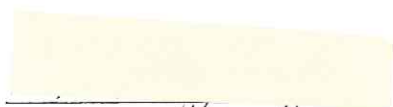
Attorney for Kansas State Board of Nursing

RETURN OF SERVICE

STATE OF KANSAS)
COUNTY OF Shawnee)

SS:

Steve M Hornberger, being duly sworn according to law, on his oath deposes and says that he is a Special Agent for the Attorney General of the State of Kansas, and that on this 8th day of February, 1984, at 1123 o'clock A.m., he served the within Notice of Hearing and Petition on Jody Gaffney by exhibiting the original Notice of Hearing and Petition to and leaving a true copy thereof with Jody Gaffney.



SUBSCRIBED AND SWORN TO before me this 8th day of February, 1984.

Marilyn Yeoman
Notary Public

My commission Expires:

October 1, 1985

