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BEFORE THE KANSAS STATE BOARD OF NURSING

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

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IN THE MATTER OF MARSHA ANN VEESART

License No. 13-49146-111

Case No. 14-1730-5

FILED

JAN 12 2016

KSBN

INITIAL ORDER AND CONSENT AGREEMENT TO SURRENDER LICENSE

NOW ON THIS 8th day of January, 2016, the Kansas State Board of Nursing, represented by Assistant Attorney General, Michael R. Fitzgibbons, and the Licensee, Marsha Ann Veesart, hereby enter into this agreement and proffer evidence and the hearing officer adopts those recommendations and makes the following findings of fact and orders:

AGREED FINDINGS OF FACT

The hearing officer makes the following findings of fact based on the evidence presented and statements of the parties.

1. Licensee is licensed to practice nursing in Kansas. The Kansas State Board of Nursing (KSBN) has jurisdiction over the licensee and the subject matter of this action.
2. Licensee's address of record 400 S. Summit Lawn Wichita, Kansas 67209.
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. That a petition would be filed to take disciplinary action against the licensee's license.
5. Following the petition being filed by the Board, a prehearing would be set at which time the Board would have to prove that licensee violated K.S.A. 65-1120(a).

The allegations in the Petition are as follows:

- (a) According to the report, it is alleged that while licensee was employed at Wichita Public Schools, Wichita, Kansas, licensee incorrectly input Doctor's order to administer insulin based on calories not carbohydrates.
- (b) This led to a student receiving 16 incorrect insulin doses.
- (c) These incidents allegedly occurred on or about the 18th day of August to the 4th day of September, 2014.
- (d) Licensee admitted to KSBN investigator that she miscalculated insulin doses based on calories rather than carbohydrates which resulted in overdosing the student.
- (e) Licensee resigned from her position on the 5th day of September 2014 when the errors were discovered.
- (f) This licensee entered into a Initial Agreed Order and was to complete a Refresher Course approved by the the Board.
- (g) Licensee no longer wishes to comply with this agreement.

6. Licensee has the right to these hearings and the right to seek review of the findings from the hearings in accordance with the Kansas Administrative Procedure Act and the Act for Judicial Review and Civil Enforcement of agency actions. Licensee is waiving those rights and knowingly and voluntarily entering into this agreement instead of proceeding to these hearings. This agreement will conclude Board action pending at this time against licensee's license.

7. Licensee understands that pursuant to K.S.A. 77-515, licensee may be represented at licensee's expense by, an attorney during these proceedings.

CONCLUSIONS OF LAW

8. 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.

VIOLATIONS

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

Count 1 K.S.A. 65-1120(e)(1) to have committed an act of professional incompetency as defined in subsection (e) in one or more instances involving failure to adhere to the applicable standards of care to a degree which constitutes gross negligence, as determine by the board.

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.

POLICY STATEMENT

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

DISPOSITION

11. Based upon this agreement and final order, the parties agree that Licensee is surrendering licensee's license to practice nursing in the state of Kansas.

12. Based upon this agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that Licensee's license to practice nursing in Kansas is immediately surrendered and terminated. Licensee shall not practice nursing in the state of Kansas.

12. The original of this document shall be kept in the Board's agency file. This Agreement is a public record. The effective date of this Initial Agreed Order to Surrender is the date shown on the certificate of service allowing for time of appeal.

13. If licensee does seek reinstatement of licensee's license, the facts and listed violations will be reviewed, licensee has the right to a hearing on the facts in this matter, however to receive a reinstatement of licensee's license the licensee will have the opportunity at that time to

prove licensee's fitness to practice nursing in Kansas. Licensee agrees that should she request reinstatement at a later date that she will have complete the Refresher Course.

14 The hearing/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, if by agreement of both parties, in those discipline cases.

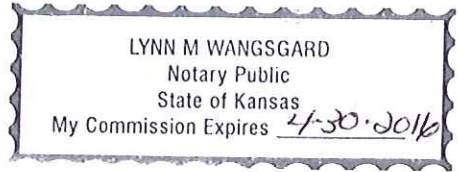
15. By their signatures, the parties hereby acknowledge this agreement.

IN WITNESS WHEREOF, the parties hereto execute this INITIAL ORDER AND CONSENT AGREEMENT TO SURRENDER LICENSE.

IT IS SO ORDERED.

Marsha Ann Veasart Lynn M Wangsgard must sign before a Notary Public.

Respondent
Marsha Ann Veasart
400 S. Summit Lawn
Wichita, Kansas 67209



Michael R. Fitzgibbons
Assistant Attorney General
Kansas State Board of Nursing
Landon State Office Building
900 SW Jackson #1051
Topeka, KS 66612

Sandra Sharon
Sandra Sharon, Hearing Officer

Pursuant to K.S.A. 77-527, either party may request a review of this final order by filing a petition for reconsideration with the Kansas State Board of Nursing. A petition for reconsideration must be filed with 15 days from the date this final order was served. Failure to timely request a reconsideration by the Kansas State Board of Nursing may preclude further judicial review. The petition for reconsideration shall be mailed or personally delivered to: Mary Blubaugh, Executive Director, Board of Nursing, Landon State Office Building, Suite 1051, 900 SW Jackson, Topeka, KS 66612-1230.

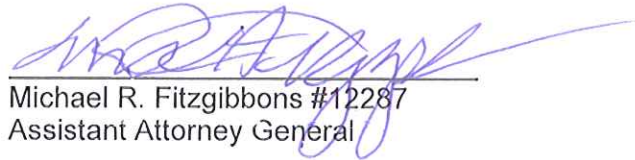
Pursuant to K.S.A. 77-531, if the final order is served by mail, three days are added to the time limits set out above.

Pursuant to K.S.A. 77-530, if a request for reconsideration is not requested in the time and manner stated above, this initial order shall become effective as a final order 30 days after service.

CERTIFICATE OF SERVICE

On the 12th day of January, 2015 I mailed a copy of this INITIAL ORDER AND CONSENT AGREEMENT TO SURRENDER LICENSE to:

Marsha Ann Veasart
400 S. Summit Lawn
Wichita, Kansas 67209


Michael R. Fitzgibbons #12287
Assistant Attorney General