

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**SUSAN OLSON ADAMS**  
734-5  
RN License No.13-52304-061  
ARNP License No 53-74726-061

**CASE NO. 01-**

**CONSENT AGREEMENT TO SUSPEND LICENSE WITH A STAY AND FINAL**

**ORDER**

NOW ON THIS 30<sup>th</sup> day of March, 2005, ~~2004~~, the Kansas State Board of

Nursing, represented by Assistant Attorney General, Betty Wright, and the respondent, Susan Olson Adams, through respondent's counsel, Larry Linn, enter into the following agreement:

1. Respondent is licensed to practice nursing in Kansas as an RN and ARNP through 6/30/2005.
2. Respondent's address of record is 6001 Avalon, Wichita, KS 67208
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that respondent violated the nurse practice act and referred this matter for further proceedings.
4. 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.

**AGREED FINDINGS OF FACT**

5. The Board alleges that on 12/4/01 a pharmacy reported that the respondent attempted to call in a prescription for a patient, and stated that she was a physician's assistant for a neurologist. The pharmacist called the physician's office and learned

that the doctor did not have a patient by that name and that the respondent did not have authority to write prescriptions using the doctor's name. During an investigation by the Wichita Police Department, the neurologist's office assistant was contacted and the office manager confirmed that the respondent did not have authority to write prescriptions on behalf of the physician and phone calls had been made by the pharmacy to the doctor's office requesting verification. Detectives then went to the residence of the respondent and determined that she shared it with a female whose name matched the alleged patient's name. Respondent's roommate admitted that she had picked up numerous scripts for Soma and Loratabs from various pharmacies. Most of the prescriptions were telephoned in but there were occasions that the respondent had written out the prescriptions herself. The respondent was then arrested. Further investigation revealed that the respondent had also written prescriptions on behalf of her primary physician without his permission and he was not aware how the respondent had come in to possession of his DEA number.

6. The licensee had listed Dr Abay as a "responsible physician on the protocol" on the Controlled Substance Verification Form received by the board on 3/22/2000. This is a form used as part of a request for a DEA number. Dr. Abay denied being a sponsor for this licensee. Her DEA number was surrendered to the DEA.

7. The licensee resolved the above case by signing a Diversion Agreement with the Board effective 7/28/2003. In the diversion agreement licensee agreed to be compliant with the KNAP Program.

8. On 12/31/04 the Board received notification from KNAP that the licensee had tested positive for alcohol. A positive urine drug screen for any mind altering substance is a violation of the KNAP agreement and the Diversion Agreement with the Board.

#### **CONCLUSIONS OF LAW**

9. Respondent has violated:

K.S.A. 65-1120(a)(4) to be unable to practice with skill and safety due to current abuse of drugs or alcohol;

K.A.R. 60-3-110(a) performing acts beyond the authorized scope of the level of nursing for which the individual is licensed;

K.S.A. 65-1120(a)(1) to be guilty of fraud or deceit in practicing nursing;

10. 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.

11. 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.

#### POLICY STATEMENT

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

#### DISPOSITION

13. 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(b) and K.S.A.77-501 *et seq.* and to judicial review.

14. Based upon this agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that the license will be **suspended** but such **suspension shall be stayed** and respondent will be allowed to practice under the following conditions:

a. Licensee shall participate in and complete the recommendations and requirements of the **Kansas Nurses Assistance Program (KNAP)**; sign releases of information necessary for KNAP to evaluate and monitor licensee and for KNAP to report information to the board.

b. Licensee shall send a **money order for \$70** to the Board upon entering into this agreement.

c. Licensee **shall return current Ks. license card with agreement.**

d. . Licensee is responsible for the costs related to satisfying these conditions.

15. If licensee does not meet these requirements, petitioner will file a motion to lift the stay and may request additional sanctions against licensee's license or application for a license. Licensee would be sent notice of such action and would be entitled to a hearing as to whether he/she had complied with this agreement, but he/ she could not contest the established violation(s).

16. Licensee agrees to notify the Legal Division of any changes in his/her address and phone number as well as all nursing employment terminations or employer changes or additions. All such notifications shall be made within fourteen (14) days of such a change, address correspondence to: Legal Division, Ks. State Board of Nursing, LSOB, 900 SW Jackson, Suite 1051, Topeka, KS 66612-1230.

17. Licensee shall immediately notify the Legal Division of any use of controlled substances, or any violation of this Consent Agreement and Final Order.

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

19. The parties understand and acknowledge that this is a disciplinary action, it will be in the newsletter and on the website. The original of this agreement shall be placed

in the Agency Record and is a public record.

20. By signing this Consent Agreement, respondent acknowledges that he/she has read and understands the entire document, and agrees to be bound by its terms. This Consent Agreement constitutes the entire agreement of the parties and may not be modified except in writing and approved by all parties.

**IN CONCLUSION**

21. This case will be inactivated and a card with no suspension will be issued when:

- a) When the KNAP program issues a letter stating the program has been completed successfully;
- b) cost of \$70 is paid.
- c) No further violations of the Nurse Practice Act are reported.

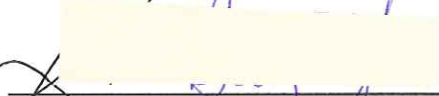
Once all of above are met , the licensee may request that a new card be issued by sending the request in writing and return the license card with the "S" to the Board, if all requirements are met a new card will be issued with no restrictions.

**IN WITNESS WHEREOF**, the parties hereto execute this Consent Agreement to

~~Suspend with a Stay and request for a Final Order.~~

  
Susan Susan Adams  
Licensee  
6001 Avalon  
Wichita, KS 67208

  
Larry Linn  
Counsel for Respondent  
River Park Place  
727 North Waco, Suite 175  
Wichita, KS 67203

  
Betty Wright, #14785  
Assistant Attorney General  
900 SW Jackson, Suite 1051  
Topeka, Kansas 66612-1230

(785) 296-7047

IT IS SO ORDERED.



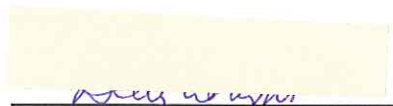
Terry Beck  
Hearing Officer

CERTIFICATE OF SERVICE

On the 13<sup>th</sup> day of April, 2005, I caused a copy of this document to be mailed, postage prepaid, to:

Susan Olson Adams  
6001 Avalon  
Wichita, KS 67208

Larry Linn  
Counsel for Respondent  
River Park Place  
727 North Waco, Suite 175  
Wichita, KS 67203



Betty Wright  
Assistant Attorney General  
900 SW Jackson, Suite 1051  
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