

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

MAR 4 2011

KSBN

**IN THE MATTER OF
KAREN WILSON**

License No. 13-058853-051

Case No. 06-572-1

SUMMARY ORDER

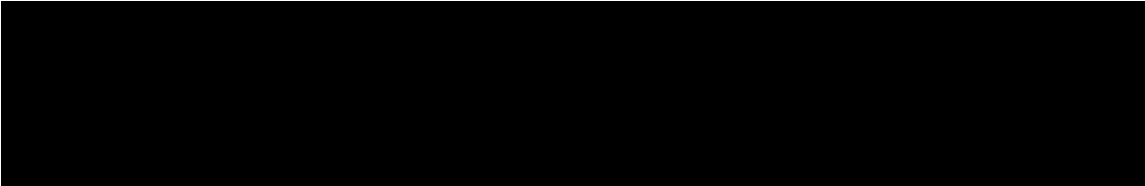
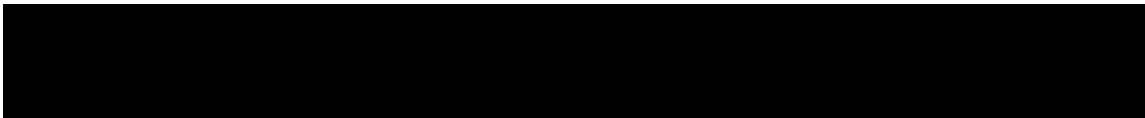
Now this 4th day of March, 2011, the above matter comes before the Kansas State Board of Nursing (Board) pursuant to authority granted to the Board by K.S.A. 65-1120. The Board hereby proposes to find facts and take disciplinary action against the license of Karen Wilson by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. Respondent, Karen Wilson, is licensed to practice nursing in Kansas through 5/31/2011. The Board has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent's address of record is 1203 N. Carlton Ave., Liberal KS 67901-2330.
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that the Respondent violated the Kansas Nurse Practice Act, K.S.A. 65-1120, 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 licenses 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.
5. Respondent entered into a Consent Agreement and Final Order (Consent Agreement) on or about 6/11/2007 with the Kansas State Board of Nursing to resolve case number

06-572-1. The Consent Agreement remains in effect until such time as the Respondent completes all conditions and requirements of the Consent Agreement. Respondent has not completed all conditions and requirements of the Consent Agreement.

6. Respondent's Consent Agreement provides in paragraph thirteen (13) that the parties agree that in the event of a lapse of Licensee's nursing license, reinstatement of Licensee's nursing license shall be contingent upon this Consent Agreement and Final Order remaining in effect until Licensee completes each of the conditions and requirements of this agreement.
7. The 6/11/2007 Consent Agreement provides in paragraph twenty (20) that upon a first finding of non compliance with the conditions or requirements of the Consent Agreement, the Stay of Suspension of Respondent's license to practice nursing in the State of Kansas shall be lifted for a period of six months from the date of said finding.
8. The 6/11/2007 Consent Agreement provides in paragraph twenty-two (22) that upon the Stay of Suspension being lifted due to a finding of non-compliance with the Consent Agreement, the Suspension will not again be Stayed until the Respondent has, following the prescribed time period of suspension, provided written verification to the Board that Respondent is in compliance with all conditions and requirements of this Consent Agreement.
9. The 6/11/2007 Consent Agreement includes a condition in paragraph sixteen (16) that the Respondent participate in and complete the recommendations and requirements of the Kansas Nursing Assistance Program (KNAP).
10. The 6/11/2007 Consent Agreement includes a condition in paragraph sixteen-h (16)(h) that Respondent shall not violate the Kansas Nurse Practice Act during the duration of the agreement.

11. The 6/11/2007 Consent Agreement includes a provision in paragraph twenty-four (24) that the agreement is a discipline and must be reported on any future renewal or reinstatement applications.
12. Respondent let her license lapse 5/31/2009.
13. 
14. Respondent submitted a reinstatement application on 8/14/2010.
15. On her 8/14/2010 reinstatement application, Respondent answered "no" to the question of whether any license had disciplinary action taken against it by a licensing authority of any state, a violation of Respondent's 6/11/2007 Consent Agreement, paragraph 16(h).
16. Pursuant to paragraph thirteen (13) of the 6/11/2007 Consent Agreement, Respondent's license to practice nursing in Kansas was reinstated but suspended with a stay of the suspension.
17. 

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1120(a), the Kansas State Board of Nursing may deny, revoke, limit or suspend any license, certificate of qualification or authorization to practice nursing as a registered professional nurse, as a licensed practical nurse, as an advanced registered nurse practitioner or as a registered nurse anesthetist that is issued by the board or applied for under this act or may publicly or privately censure a licensee or holder of a certificate of qualification or authorization, if the applicant, licensee or holder of a certificate of qualification or authorization is found to have violated the Nurse

Practice Act. The above fact findings establish evidence that the Respondent violated the following provisions of the Nurse Practice Act:

- a. 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;
 - b. K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the Board, by KAR 60-3-110(r), failing to comply with any disciplinary order of the board;
 - c. K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the Board, by KAR 60-3-110(s), failing to complete the requirements of the impaired provider program of the board.
2. K.S.A. 77-511(a)(2)(A) and K.S.A. 77-537 of the Kansas Administrative Procedure Act authorize the use of summary proceedings by a state agency if the use of summary proceedings does not violate any provision of law and the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties.

POLICY STATEMENT


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

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT:

1. Respondent's license to practice nursing is suspended for a period of six months from the effective date of this Summary Order.
2. A stay of suspension will not be issued until the period of six months has passed and KNAP has provided provided written verification to the Board that Respondent is in compliance with KNAP, and Respondent has provided written verification to the Board that Respondent is in compliance with all the additional conditions and requirements of the 6/11/2007 Consent Agreement

Pursuant to K.S.A. 77-537, this decision, which is called a Summary Order, is subject to your request for a hearing. If you desire a hearing, you must submit or direct a **written** request for hearing to: Kansas State Board of Nursing, Legal Division, 900 SW Jackson, Suite 1051, Topeka, Kansas 66612-1230, (785) 296-4325. THIS REQUEST MUST BE SUBMITTED WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS ORDER. If a hearing is not requested in the time and manner stated, this Summary Order becomes effective as a final order, without further notice, upon the expiration of the time for requesting a hearing.

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


Janet Jacobs, LPN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 4th day of March, 2011, the foregoing copy of the Summary Order was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Karen Wilson
1203 N. Carlton Ave.
Liberal KS 67901-2330


Danielle Sanger #24587
Assistant Attorney General