

BEFORE THE KANSAS STATE BOARD OF NURSING

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

**IN THE MATTER OF
SAMUEL BANKOLE
License No. 13-594363-082**

Case No. 10-1047-5

FILED

MAR 12 2014

KSBN

SUMMARY ORDER

Now this 12th day of March, 2014, 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 registered nurse license of Samuel Bankole, (Licensee) by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. (a) Licensee is licensed to practice nursing in the state of Kansas as a registered nurse through 8/31/2014. The Board has jurisdiction over the licensee and the subject matter of this action.
- (b) Licensee's address of record is 2550 S. Oliver #814, Wichita, Kansas 67210.
- (c) Licensee was employed by Wesley Rehabilitation Hospital from 4/27/2009 to 8/11/2010.
- (d) Licensee was assigned to a patient with a knee wound. Patient's physician ordered the dressing on the knee wound to be changed daily. The patient's wound was assessed on the morning of 8/6/2010 by the charge nurse. The charge nurse noted the dressing on the wound was dated 8/3/2010. The wound dressing had not been changed on 8/4/2010 and 8/5/2010 as ordered.
- (e) The patient's MAR indicated the licensee had changed the dressing on both 8/4/2010 and 8/5/2010. Licensee was confronted by the Risk Manager. Licensee stated he did not change the dressings either night, but he documented that he had changed them because he planned to.
- (f) The licensee did not document any alleged care on the wound care sheet. A picture of the knee with the date of 8/3/2010 on the dressing was taken by staff and included in the materials released to the Board in response to an investigative subpoena.
- (g) The licensee was placed on probation and terminated by Wesley. The licensee failed to respond to the Board.

CONCLUSIONS OF LAW

2. 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 applicant 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)(3), to have committed an act of professional incompetency as defined in subsection (e); (1) one or more instances involving failure to adhere to the applicable standard of care to a degree which constitutes gross negligence, as determined by 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; K.A.R. 60-3-110(d) inaccurately recording, falsifying, or altering any record of a patient or agency or of the board;

3. Licensee's conduct described herein violates the Kansas Nurse Practice Act.

4. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency if the use of summary proceedings does not violate any provision of law, 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, and the state agency believes in good faith, after investigation of the facts, that the allegations will be supported to the applicable standard of proof.


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

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

- 1. Licensee's license is revoked.**
- 2. Licensee shall not practice nursing in the state of Kansas.**
- 3. Licensee shall pay \$70.00 costs of this action to the Board within thirty (30) days of the effective day of this Order.**

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. If a hearing is requested, the prior issuance of a summary order shall not affect the burden of proof.

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.


J. Himer
Judith Himer RN, BSN
Investigative Committee. Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 12th day of March, 2014, 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:

Samuel Bankole
2550 S. Oliver #814
Wichita, Kansas 67210


Alma A. Heckler, #11555
Assistant Attorney General

12/12/14
MRS. S. J. COPE
1012 S. MAIN ST.