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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 CAELA M. WHITE-KINCHION**

License No. 13-65323-072

Case No. 08-619-5 AND 12-592-2

**FINAL ORDER AND CONSENT AGREEMENT TO SURRENDER and REVOKE LICENSE**

NOW ON THIS 24<sup>th</sup> day of March, 2014, the Kansas State Board of Nursing, represented by Assistant Attorney General, Michael R. Fitzgibbons, and the Licensee, Caela M. White-Kinchion, 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 through July 2014. 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 4305 Eagle Lake Drive, Wichita, Kansas 67220.
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 has been filed to take disciplinary action against the licensee's license regarding felony convictions of Healthcare fraud in Case No. 11-40023-JAR in U.S. and Conspiracy to Commit Health Care Fraud in the District Court for the District of Kansas.

5. Following the petition being filed by the Board, a hearing would be set at which time the Board would have to prove that licensee violated K.S.A. 65-1120(a).

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

#### **POLICY STATEMENT AND CONCLUSIONS OF LAW**

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

#### **DISPOSITION**

8. The parties agree that Licensee will surrender her license to practice nursing in the state of Kansas.

9. 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.

10. Licensee shall have the right to seek reinstatement of her license in the future and understands that the facts and listed violations would be reviewed, including her responses to

such facts as may be necessary and that licensee has the right to a hearing on such matter. Licensee understands that to receive reinstatement of her license, she will have the opportunity at that time to prove her fitness to practice nursing in Kansas.

11. 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.


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

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

IT IS SO ORDERED.

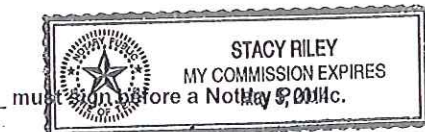
 *Stacy Riley*

Respondent  
Caela M. White Kinchion  
4805 Eagle Lake Drive  
Wichita, Kansas 67220

  
SHULTZ LAW OFFICE P.A.  
Craig Schultz  
445 N. Waco  
Wichita, Kansas 67202

  
Michael R. Fitzgibbons #12287  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson #1051  
Topeka, KS 66612

*Stacy Riley*



*Stacy Riley*  
2/21/14

  
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 26<sup>th</sup> day of March, 2014 I mailed a copy of this FINAL ORDER AND CONSENT AGREEMENT TO SURRENDER AND REVOKE LICENSE to:

Caela M. White Kinchion  
4305 Eagle Lake Drive  
Wichita, Kansas 67220

SHULTZ LAW OFFICE P.A.  
Craig Schultz  
445 N. Waco  
Wichita, Kansas 67202

  
Michael R. Fitzgibbons #12287  
Assistant Attorney General