

Filed

APR 17 2002

Board of Nursing

**BEFORE THE KANSAS STATE BOARD OF NURSING**  
LONDON STATE OFFICE BUILDING, 900 S.W. JACKSON #551-S  
TOPEKA, KANSAS 66612-1230

IN THE MATTER OF THE LICENSE OF  
**SUZANNE LOGSDON VIEYRA**  
LICENSE NO. 13-067676-052

**CASE NO. 93-440-3 & 94-237-3**

**DEFAULT ORDER DENYING LICENSE**

NOW ON THIS 9th day of April, 2002, petitioner appears by disciplinary counsel, Alma A. Heckler, for a pre-hearing conference on the petition. Respondent does not appear.

Wherefore, the hearing officer finds as follows:

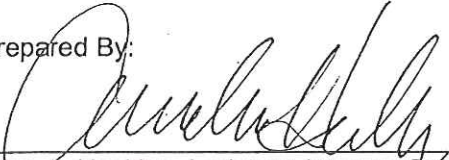
1. Respondent filed a reinstatement application on July 16, 2001. By order effective April 9<sup>th</sup> 2002, the board denied respondent's application to renew her R.N. license after a finding that the respondent had violated the nurse practice act. The order cited K.S.A. 65-1120(a)(6), unprofessional conduct failure to follow policies and procedures designed to safeguard a patient, and. The respondent has also failed to receive an evaluation from the Kansas Nurses Assistance Program. The board has jurisdiction over this matter.
2. Petitioner sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper.
3. Petitioner moves for issuance of a proposed default order granting the petition.
4. The petition is hereby granted and incorporated into this order as if set forth herein.
5. Per petitioner's request, respondent's application for a license to practice nursing is denied. Respondent may not practice nursing in Kansas.
7. Costs of the action of \$70 are assessed to respondent to be paid to the board by cash or money order within 30 days of the effective date of this order.
8. Disciplinary counsel shall mail a copy of this order to respondent's last known address.

IT IS SO ORDERED.



Terry E. Beck  
Hearing Officer

Prepared By:



Alma A. Heckler, Assistant Attorney General

NOTICE

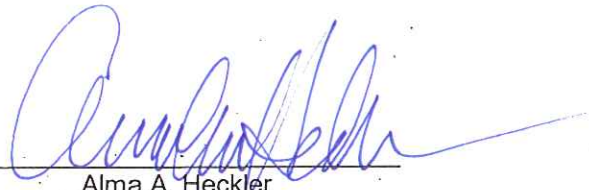
This is a proposed default order pursuant to K.S.A. 77-520. This order becomes effective if respondent does not file a written motion requesting that this order be vacated with the board within ten days after the day this order is mailed. If a motion is timely filed, then a hearing will be set and notice given to respondent to appear. Another order will then be issued either vacating or affirming this order.



Alma A. Heckler #11555  
Assistant Attorney General  
900 S.W. Jackson, Suite #551-S  
Topeka, Kansas 66612-1230  
785/296-4325

CERTIFICATE OF SERVICE

On the 17<sup>th</sup> day of April, 2002, I mailed a copy of this order by depositing it with the United States Postal Service, postage prepaid, addressed to respondent at 2800 – Grant Ave., Hays, KS 67610-1860.



Alma A. Heckler  
Assistant Attorney General  
Kansas State Board of Nursing  
(785) 296-4325

**BEFORE THE KANSAS STATE BOARD OF NURSING**

LONDON STATE OFFICE BUILDING, 900 S.W. JACKSON #551-S  
TOPEKA, KANSAS 66612-1230

IN THE MATTER OF THE LICENSE OF  
**R.N. NO. 13-67676-52**  
**SUZANNE VIEYRA**  
**F/K/A SUZANNE LOGSDON**

**CASE NO. 93-440-3**  
**CASE NO. 94-237-3**

**PETITION**

**COMES NOW** the petitioner, the board of nursing, by and through disciplinary counsel for the board, Michelle Davis, and for its cause of action states that:

1. Respondent's address of record is 2800-A Grant Ave, Hays, Kansas 67601-1860.
2. Effective 9/21/95, respondent's license was suspended with a stay under certain conditions after a finding that respondent had violated K.S.A. 65-1120(a)(6), unprofessional conduct – failure to follow policies and procedures designed to safeguard the patient. The board did not receive the four quarterly reports from respondent's employer in 1996 that had been ordered – respondent told disciplinary counsel that she has not worked as a nurse since 1994 because she experienced major depression over the incidents that led to these cases. Respondent has provided certificates for six hours of CNE on nursing assessment as ordered. Respondent's license lapsed 5/31/98.
3. Respondent filed a reinstatement application July 16, 2001. Petitioner referred respondent to the Kansas Nurses Assistance Program for a mental health evaluation by letter dated 9/25/01, but petitioner has not received a response from KNAP.
4. The board may deny, limit, revoke, or suspend a nursing license if a violation of K.S.A. 65-1120 is established. Per the *Vakas* case, 248 Kan. 589 (1991), the factors to be considered in determining whether a license should be reinstated after a disciplinary finding has been made are the following:

- The present moral fitness of the petitioner;
- The demonstrated consciousness of the wrongful conduct and disrepute which the conduct has brought the profession;
- The extent of petitioner's rehabilitation;
- The nature and seriousness of the original misconduct;
- The conduct subsequent to discipline;
- The time elapsed since the original discipline;
- The petitioner's character, maturity, and experience at the time of the original revocation;
- The petitioner's present competence in medical skills.

**WHEREFORE**, petitioner requests that respondent prove that her license should be reinstated or that her application be denied or conditions placed upon her license and that the costs of this action be assessed to respondent.

Respectfully submitted,

Carla J. Stovall  
Attorney General

By: Michelle Davis

Michelle A. Davis  
Assistant Attorney General  
Disciplinary Counsel