

BEFORE THE KANSAS STATE BOARD OF NURSING
Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

IN THE MATTER OF
HEATHER D. BARTLETT
License No. 13-68299-121

Case No. 13-1664-9

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AGREED ORDER TO SURRENDER AND REVOKE LICENSE

NOW ON THIS 6th day of November, 2014, the Kansas State Board of Nursing, represented by Assistant Attorney General, Alma A. Heckler, and the Licensee, Heather D. Bartlett by and through her attorney Robert N. Symmonds, 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 12/31/2015. 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 is 1001 Congress, Apt. 4, Emporia, Kansas 66801.
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. The Board has requested that a petition be filed to take disciplinary action against the licensee's license.
5. A petition was filed by the Board on May 5, 2014, a hearing may be held at a later date at which

time the Board would have to prove that licensee violated K.S.A. 65-1120(a).

6. Licensee has the right to a 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 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.
7. Licensee understands that pursuant to K.S.A. 77-515, licensee may be represented at licensee's expense by, an attorney during these proceedings.
8.
 - (a) A petition was filed May 5, 2014 to take disciplinary action against the licensee's license. The petition alleged Respondent has sent other professionals and the Board, letters with bizarre allegations of abuse and acts of terrorism. The stories and letters are difficult to follow and understand. She stated she was most recently a special operations agent in Syria and then indicates she worked for the Red Cross. She claimed she had a commanding officer and worked for the Navy. When pressed on details, she stated that the information was sensitive and she could not expose the identity of those individuals she worked for or the kinds of work that she did.
 - (b) The Board attempted to contact the person she identified as her commanding officer but found that the number she provided was the phone number of her relative.
 - (c) Respondent claimed that she had been given special instructions and conducted investigations on behalf of the current Governor of Kansas and the United States Vice President.
 - (d) Respondent was referred to the Kansas Nurse Assistance Program (KNAP) for a mental health evaluation on April 22, 2014 and given seven (7) days to contact and begin the process of enrollment. Respondent failed to contact KNAP.
 - (e) Respondent provided a copy of a 2011 evaluation with recommendations for further treatment and a change in prescriptions. There is no indication that the respondent has attempted

to follow those recommendations.

(f) Respondent's behaviors and allegations raise serious concerns regarding her safety to practice nursing.

(g) The respondent has communicated through her attorney her wish to surrender her license.

CONCLUSIONS OF LAW

9. 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.
10. Respondent has violated the Kansas Nurse Practice Act as follows:
 - (a) K.S.A. 65 1120(a)(3) to have committed an act of professional incompetency as defined in subsection (e)(3) a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing;
 - (b) K.S.A. 65-1120(a)(6), unprofessional conduct, by failing to complete the requirements of the impaired provider program of the board; K.A.R. 60-3-110(s);

POLICY STATEMENT

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

DISPOSITION

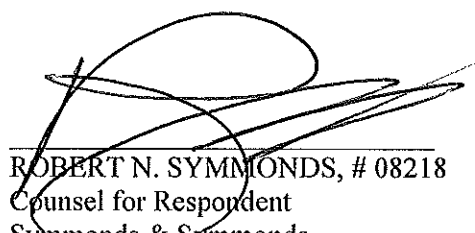
12. Based upon this Initial Agreed Order to Surrender and Revoke (Agreement), the parties agree that Licensee is surrendering licensee's license to practice nursing in the state of Kansas.
13. Based upon this agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that Licensee's license to practice nursing in Kansas is immediately

revoked. Licensee shall not practice nursing in the state of Kansas.

14. Licensee shall pay fees in the amount of \$70.00.
15. The Board will report this surrender and revocation to data banks, other entities, and in its newsletter. This is a disciplinary action on licensee's license. The original of this document shall be kept in the Board's agency file. This Agreement is a public record and will be reported to national disciplinary data banks. The effective date of this Initial Agreed Order to Surrender and Revoke is the date shown on the certificate of service.
16. If licensee does seek reinstatement of licensee's license, the agreed facts and listed violations are admitted, licensee has waived the right to a hearing on the facts in this matter, however to receive a reinstatement of licensee's license the licensee will have the opportunity at that time to prove licensee's fitness to practice nursing in Kansas.
17. 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.
18. By their signatures, the parties hereby acknowledge this agreement.

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

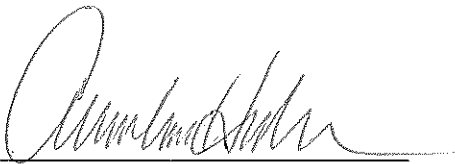
IT IS SO ORDERED.



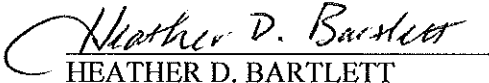
ROBERT N. SYMMONDS, # 08218
Counsel for Respondent
Symmonds & Symmonds
427 Commercial Street
Emporia, Kansas 66801



SANDRA SHARON, Presiding Officer



ALMA A. HECKLER, #11555
Assistant Attorney General
Kansas State Board of Nursing
Landon State Office Building
900 SW Jackson #1051
Topeka, KS 66612

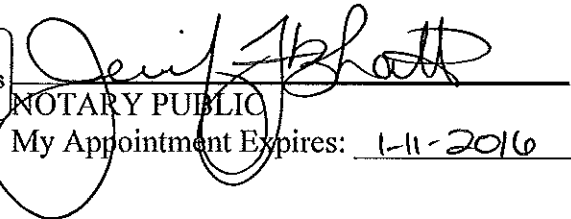


HEATHER D. BARTLETT
Respondent
1001 Congress Apt. 4
Emporia, Kansas 66801

ACKNOWLEDGMENT

STATE OF KANSAS, LYON COUNTY, SS:

The foregoing instrument was acknowledged before me by Heather D. Bartlett on the 27th day of October, 2014.



NOTARY PUBLIC
My Appointment Expires: 1-11-2016

Pursuant to K.S.A. 77-527, either party may request a review of this initial 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 initial 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 initial 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 10th day of ~~October~~ November, 2014, I mailed a copy of this AGREED ORDER TO SURRENDER AND REVOKE LICENSE to:

Heather D. Bartlett
1001 Congress Apt. 4
Emporia, Kansas 66801

Robert N. Symmonds
Symmonds & Symmonds
427 Commercial Street
Emporia, Kansas 66801



ALMA A. HECKLER, #11555
Assistant Attorney General