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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 PATTI MONCKTON

KSBN

License No 13-69646-072

Case No. 10-1273-5

INITIAL AGREED ORDER TO SURRENDER AND REVOKE LICENSE

NOW ON THIS 22nd day of July, 2015, the Kansas State Board of Nursing, represented by Assistant Attorney General, Michael R. Fitzgibbons, and the Licensee, Patti Monckton, 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 as a registered nurse in Kansas through July 2016. 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 4033 N. Lake Ridge Ct, Wichita, KS 67205.
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. Following a petition being filed by the Board, a hearing would also 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 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 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.

(a) While employed by Kansas Heart Hospital, Wichita, Kansas, it alleged that you diverted controlled substance from various patients under your care and this medication was diverted for your own personal use.

(b) That you were impaired by controlled substances while you were on duty.

(c) Tested Positive for Morphine on the 25th of August, 2010.

(d) These incidents allegedly occurred between July and August 2010.

(e) That KSBN requested new referral in KNAP on or about October 8th, 2010.

(f) This Licensee signed with KNAP on March 2nd, 2011.

(g) Licensee failed to provide a urine drug screen and was in non compliance with KNAP

(h) Licensee entered a Consent Agreement and an Addendum to that Consent Agreement.

(i) Licensee wishes to surrender her license.

You failed to provide a urine drug screen and was in non compliance with KNAP

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) Count 1: K.S.A. 65-1120(a)(6), unprofessional conduct, by drug diversion K.A.R. 60-3-110(n);
- (b) Count 2: K.S.A. 65 1120(a)(4) to be unable to practice with skill and safety due to current abuse of drugs or alcohol;
- (c) Count 3: 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. 30-3-110 (s)

POLICY STATEMENT

11. The role of the Kansas State Board of Nursing is to protect the 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 licenses 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 licenses to practice nursing in Kansas are immediately revoked. Licensee shall not practice nursing in the state of Kansas.

14. Upon signing this agreement and returning it to the Board, licensee shall return licensee's license cards with the agreement.

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 licenses. 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 licenses, 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 **INITIAL AGREED ORDER TO SURRENDER AND REVOKE LICENSE.**

IT IS SO ORDERED.

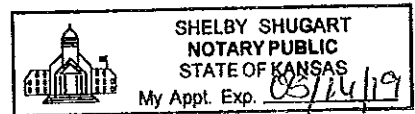
Patti Monckton

Respondent
Patti Monckton
4033 N. Lake Ridge Road
Wichita, KS 67205

County of Sedawick
State of Kansas

This instrument was acknowledged before me
on 10 day of July, 2015 by Patti Monckton
S Shelby Shugart

Notary Public's Signature
My Commission Expires 05/16/19
Patti Monckton must sign before a Notary Public.



Michael R. Fitzgibbons

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

Sandra Sharon

Sandra Sharon, Presiding Officer

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.

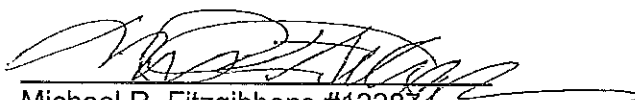
Pursuant to K.S.A. 77-531, if the initial order is served by mail, three days are added to the time limits set out above.

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 2nd day of July, 2015, I mailed a copy of this INITIAL AGREED ORDER TO SURRENDER AND REVOKE LICENSE to:

Patti Monckton
4033 N. Lake Ridge Road
Wichita, KS 67205


Michael R. Fitzgibbons #12287
Assistant Attorney General