

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

FILED #1687  
APR 09 2013 pag

IN THE MATTER OF MARY MARGARET CHARGOIS

KSBN

License No. 13-70934-042

Case No. 12-1803-7

SUMMARY ORDER

NOW ON THIS 9<sup>th</sup> day of April, 2013, THE ABOVE MATTER COMES BEFORE THE Kansas State Board of Nursing (Board) purusant to authority granted to the Board by K.S.A. 65-1120. The Board hereby proposed to find facts and take disciplinary action against the reinstatement application of Applicant by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. Licensee is licensed to practice nursing in the state of Kansas. The Board has jurisdiction over the Licensee and the subject matter of this action.
2. Licensee's address of record is 3907 N. Colorado Ave, Kansas City Missouri 64117.
3. According to a report, it is alleged that while employed by University of Kansas Hospital, Kansas City, Kansas, licensee accessed automated medication and removed one litre of normal saline which she self administered through an IV route.
4. Licensee accessed automated medication systems and removed Zofran 4mg under a patient's name and self administered.
5. Licensee admitted to witnesses that she self administered 2 litres of normal saline, Pepcid, Zofran, Tums, Tylenol and GI cocktail and all medication and supplies were diverted from hospital stock. No physician order existed for any treatment or medication.
6. Licensee admitted to lying down to rest while on duty and was unable to see patients for that period of time.

7. Licensee admitted to staff members that she was not suppose to divert and self administer medications.
8. Licensee instructed subordinate staff to divert medications and supplied without their knowledge that the diversion was for her self administration.
9. Licensee used aggression and intimidation to influence staff members to lie about this incident.
10. Licensee denied to leadership that the self administration incident occurred despite video evidence and accudose records of the incident.
- 11 This incident allegedly occurred on or about the 24<sup>th</sup> of June, 2012.
12. Licensee resigned on the 18<sup>th</sup> of July, 2012 during the investigation of this incident.

#### CONCLUSIONS OF LAW

1. K.S.A. 65-1120(a)(6) to be guilty of unprofessional conduct as defined by the rules and regulations..
2. K.S.A. 65 1120(a)(6) to be guilty of unprofessional conduct as defined as defined by rules and regulations of the board by violating the existing policies and procedures of the medical facility.
3. K.S.A. 65-1120 (a) (1) to be guilty of fraud and deceit in practicing nursing.
4. K.S.A. 65-1120(a)(6), unprofessional conduct, by drug diversion K.A.R. 60-3-110(n) for diverting supplies and medications for her personal use.
5. K.S.A. 65-1120(a)(6), unprofessional conduct, by inaccurately recording, falsifying or altering documents.
6. KAR 60-3-110 (l) unprofessional conduct for leaving an assignment that has been accepted without notifying the appropriate authority.
7. 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 authorization, if the applicant, licensee or holder of a certificate of qualifications or authorization is found to have violated the Nurse Practice Act.

1. The above fact findings established evidence that the applicant violated the following provisions of the Nurse Practice Act:

- a. K.S.A. 65-1120(a)(6) to be guilty of unprofessional conduct as defined by the rules and regulations.
- b. . K.S.A. 65 1120(a)(6) tto be guilty of unprofessional conduct as defined as defined by rules and regulations of the board by violating the existing policies and procedures of the medical facility.
- c. K.S.A. 65-1120 (a) (1) to be guilty of fraud and deceit in practicing nursing.
- d..K.S.A. 65-1120(a)(6), unprofessional conduct, by drug diversion K.A.R. 60-3-110(n) in past conduct.
- e. K.S.A. 65-1120(a)(6), unprofessional conduct, by inaccurately recording, falsifying or altering documents.
- f. KAR 60-3-110 (l) unprofessional conduct for leaving an assignment that has been accepted without notifying the appropriate authority.

2. Licensee's conduct described herein violated the Kansas Nurse Practice Act and renders the licensee unsafe to practice nursing.

K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the summary proceedings does not violated any provision of law and the protection of the public interest does not require the state agency to give notice and opportunity to participate to persons other than the parties.

3. The role of the Kansas State Board of Nursing is to protect citizens of Kansas from unsafe practices in nursing.

**POLICY STATEMENT**

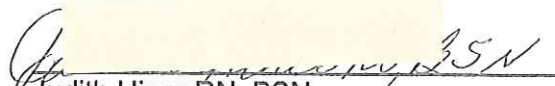
1. The Board of Nursing is concerned for the safety and quality of nursing care provided to the citizens of the State of Kansas and self medication of diverted supplies and/or medication while on duty is a danger to the public.

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

1. **Licensee's License to practice nursing in the state of Kansas is revoked.**

Pursuant to K.S.A. 77-537, the decision, which is called a Summary Order, is subject to your request for 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.

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.

  
Judith Hiner RN, BSN  
Investigative Committee, Chair  
Kansas State Board of Nursing

**CERTIFICATE OF SERVICE**

On the 9<sup>th</sup> day of April, 2013, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Mary Margaret Chargois  
3907 N. Colorado Ave  
Kansas City, MO 64117

  
Michael R. Fitzgibbons #12287  
Assistant Attorney General