

FILED

OCT 03 2014

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BEFORE THE KANSAS STATE BOARD OF NURSING

Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

IN THE MATTER OF JANET JOY COCHRAN

License No. 13-72296-112 AND 53-44741-112

Case No. 11-905-1

SUMMARY ORDER

NOW ON THIS 3rd day of October, 2014, THE ABOVE MATTER COMES BEFORE THE Kansas State Board of Nursing (Board) pursuant 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 licensee's license by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. This Licensee is licensed to practice nursing in the State of Kansas until November, 2014.

The Board has jurisdiction over the Licensee and the subject matter of this action.

2. Licensee's address of record is 316 N. Fossil Russell, Kansas 67665.

3. After an investigation, the Board's investigative committee found reasonable grounds to believe that the Respondent violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.

4. Review of the information gathered by the Board revealed the following upon which this action is based.

(a) According to a report, licensee was employed by Hodgeman County Hospital, Jetmore, Kansas, it is alleged that licensee mismanaged a code blue.

(b) Patient was admitted with altered mental status, hypotension, acute hypoxia and lethargy.

(c) Licensee failed to recognize a severely dehydrated patient.

- (d) Licensee placed an endotracheal tube into the esophagus.
- (e) Licensee did not follow policies and procedures on dopamine administration.
- (f) Licensee failed to notify the physician and failed to take appropriate action.
- (g) This incident allegedly occurred on or about the 9th day of January, 2011.
- (h) Patient was pronounced dead at 0335 on or about that day.
- (i) Licensee was removed from Emergency Room call as well as inpatient patient care privileges.

5. This Licensee violated the Nurse Practice Act by unprofessional conduct by mismanaging of resuscitation efforts during a code blue, failing to follow policies and procedures of a medical facility and failing to take appropriate action in treating a patient.

CONCLUSIONS OF LAW

- a 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 KAR 60-3-110 (b) without making or obtaining adequate preparation or maintaining competency.
 - b. K.S.A. 65-4924 (a), a report to a state licensing agency...relating to a health care provider's inability to practice the provider's profession with reasonable skill and safety.
 - c. K.S.A. 65-1120(e)(1) to have committed an act of professional incompetency as defined in subsection (e) in one or more instances involving failure to adhere to the applicable standards of care to a degree which constitutes gross negligence, as determine by the board.
6. 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 Licensee, Licensee or holder of a certificate of qualifications or authorization is found to have violated the Nurse Practice Act.

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

Count 1: 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 KAR 60-3-110 (b) without making or obtaining adequate preparation or maintaining competency.

Count 2: K.S.A. 65-4924 (a), a report to a state licensing agency...relating to a health care provider's inability to practice the provider's profession with reasonable skill and safety.

Count 3: K.S.A. 65-1120(e)(1) to have committed an act of professional incompetency as defined in subsection (e) in one or more instances involving failure to adhere to the applicable standards of care to a degree which constitutes gross negligence, as determine by the board.

K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the summary proceedings do 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.

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

POLICY STATEMENT

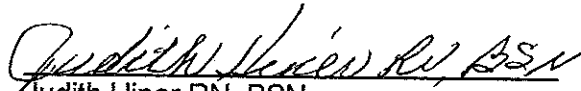
1. Inability to follow policies and procedures of medical facilities makes this licensee a danger to the public, puts patients and the public at risk, and is a violation of the Kansas Nurse Practice Act.
2. Substandard Performance and poor judgment is detrimental to good nursing practice.

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

1. Licensee's license is suspended pending the completion of CNE of three to six (3-6) hours on Critical Thinking for APRNs and three to six (3-6) hours on Physical Assessment for APRNs.
2. Licensee shall pay \$70.00 costs of this action to the Board within thirty (30) days of the effective day of this Order.

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.

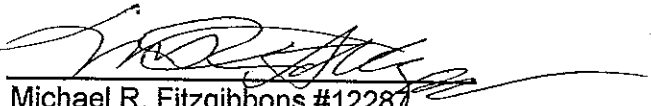
Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.


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

CERTIFICATE OF SERVICE

On the 3rd day of October, 2014, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Janet Joy Cochran
316 N. Fossil
Russell, Kansas 67665


Michael R. Fitzgibbons #12287
Assistant Attorney General