

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

AUG 19 2015

IN THE MATTER OF HEATHER ANGELA KING

KSBN

License No 13-72015-032

Case No. 12-724-5

SUMMARY ORDER

NOW ON THIS 19th day of August, 2015, 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. The Board has jurisdiction over the Licensee and the subject matter of this action.
2. Licensee's address of record is 127 Valley Stream Drive Derby, Kansas 67037.
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, it is alleged that licensee had voiced suicidal ideation to over dose on Coumadin and slit her wrist.
 - (b) Licensee was in KNAP at the time and it was decided that the recent suicide attempt would be considered as a relapse.
 - (c) This incident occurred on or about the 8th of April, 2012.
 - (d) Licensee was directed to suspend working as a nurse until she had a mental health evaluation.
 - (e) Licensee's agreement with KNAP was extended with a completion date of April 2015.
 - (f) Licensee's KNAP file was closed due to non compliance.
 - (g) This occurred on or about the 7th day of August 2014.
 - (h) According to a report, while licensee was employed by Dr. Rod Jones from the Midwest Surgery Center, licensee was sent home as she was demonstrating odd behavior.

- (i) The police were called.
- (j) Licensee stated that she could only remember bits and pieces of this incident.
- (k) This incident occurred on or about the 15th day of September 2014.
- (l) On the 7th day of August, 2014, licensee contacted KNAP and stated that she could no longer practice and wished to surrender her license.
- (m) On the 4th day of February, 2015, KSBN sent licensee Surrender documents and licensee failed to return them.

5. This Licensee violated the Nurse Practice Act by unprofessional conduct by failing to complete the impaired provider program causing impairment of her abilities to practice nursing.

CONCLUSIONS OF LAW

- a. K.S.A. 65-1120(a)(4) unable to practice with skill and safety due to current abuse of drugs or alcohol.
- b. K.S.A. 65-1120(a)(7), willfully and repeatedly violation provisions of the Kansas Nurse Practice Act by failing to complete the requirements of impaired provider program KAR 60-3-110(s).
- c. A report to a state licensing agency pursuant to subsection (a) (1) or (2) that relates to a health care provider's inability to practice the provider's profession with reasonable skill and safety due to mental disability K.S.A. 65-4924 (5)(d).
- d. K.S.A. 65-1120 (3) to be guilty of unprofessional conduct failing to furnish the board, its investigators, or its representative with any information legally requested by the board KAR 60-3-110 (t).

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.

7. 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)(4) unable to practice with skill and safety due to current abuse of drugs or alcohol.

Count 2: K.S.A. 65-1120(a)(7), willfully and repeatedly violation provisions of the Kansas Nurse Practice Act by failing to complete the requirements of impaired provider program KAR 60-3-110(s).

Count 3: A report to a state licensing agency pursuant to subsection (a) (1) or (2) that relates to a health care provider's inability to practice the provider's profession with reasonable skill and safety due to mental disability K.S.A. 65-4924 (5)(d).

Count 4: K.S.A. 65-1120 (3) to be guilty of unprofessional conduct failing to furnish the board, its investigators, or its representative with any information legally requested by the board KAR 60-3-110 (t).

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

POLICY STATEMENT

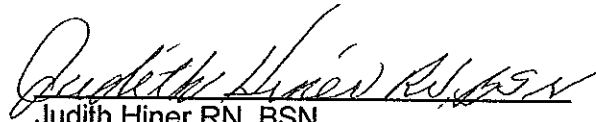
1. Failing to complete the KNAP program does not allow assurances of nurses ability to practice safely.
2. Mental Health issues affect the nurses ability to render nursing care.

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.
2. Licensee shall pay \$100 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 19th day of August, 2015, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Heather Angela King
127 Valley Stream Drive
Derby, Kansas 67037



Michael R. Fitzgibbons #12287
Assistant Attorney General