

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**FILED**

**JAN 25 2011**

**KSBN**

**IN THE MATTER OF  
CHRISTINA L. ESPINOSA  
License No. 13-076172-101**

**Case No. 08-817-4**

**PROPOSED DEFAULT ORDER TO REVOKE LICENSE**


NOW ON THIS 25th day of January 2011, Petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Danielle R. Sanger, for a Pre-Hearing Conference on the Petition. Respondent does not appear.

Wherefore, the Presiding Officer finds as follows:

1. Respondent, Christina L. Espinosa, is licensed to practice nursing in Kansas through 10/31/2011. The Board has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent was sent a copy of the petition and notice of this hearing to Respondent's last known address and service is proper. Respondent does not appear.
3. Petitioner moves for issuance of a proposed default order revoking Respondent's license. The Petitioner's request is granted by default pursuant to K.S.A. 77-520.
4. The petition is hereby granted and incorporated into this order as if fully set forth herein. Respondent violated the Nurse Practice Act as alleged in the petition.
5. Per Petitioner's request, Respondent's license to practice nursing is revoked. Respondent may not practice nursing in Kansas.
6. Costs of the action of \$70 are assessed to Respondent to be paid to the Board by cash or money order within 30 days of the effective date of this order.
7. Respondent shall immediately forward his or her original Kansas nursing license to the Kansas State Board of Nursing.

8. This Proposed Default Order shall become effective seven days after service, or ten days after mailing, of this order unless the Respondent files a written motion with the Board stating why the Proposed Default Order should be vacated and the order is then vacated.
9. Disciplinary counsel shall mail a copy of this proposed default order to Respondent's last known address.

**IT IS SO ORDERED.**




Sandra L. Sharon, Presiding Officer  
Office of Administrative Hearings  
1020 S Kansas Ave.  
Topeka, KS 66612-1327

**NOTICE**

Pursuant to K.S.A. 77-527, either party may request a review of this order by filing a petition for review with the Kansas State Board of Nursing. The petition for review shall state its basis. A petition for review must be filed within 15 days from the date this order becomes effective. Failure to timely request a review by the Kansas State Board of Nursing may preclude further judicial review. The petition for review shall be mailed or personally delivered to: State Board of Nursing - Legal Division, Landon State Office Building, 900 SW Jackson, Ste 1051, Topeka, KS 66612-1230.

Pursuant to K.S.A. 77-530, if neither party requests a review by the Kansas State Board of Nursing, then this initial order becomes final and binding on both parties on the 30<sup>th</sup> day following its service.

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.




Danielle R. Sanger, #24587  
Disciplinary Counsel  
Kansas State Board of Nursing  
900 S.W. Jackson, Suite #1051  
Topeka, KS 66612-1230  
785-296-4325

**CERTIFICATE OF SERVICE**

I certify that on the 25<sup>th</sup> day of January 2011, a true and correct copy of the foregoing Proposed Default Order Revoking License was deposit in the United States Mail, first-class postage prepaid, addressed to the following:

Christina L. Espinosa  
513 W 8th Street  
Harper, KS 67058



Danielle R. Sanger, #24587  
Assistant Attorney General

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Topeka, Kansas 66612-1230

**IN THE MATTER OF  
CHRISTINA L. ESPINOSA  
License No. 13-076172-101**

**Case No. 08-817-4**

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**PETITION**

COMES NOW the petitioner, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Danielle R. Sanger, and for its cause of action states that:

1. Respondent, Christina L. Espinosa, is licensed to practice nursing in Kansas through 10/31/2011. The Board has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent's address of record is 513 West 8th Street, Harper KS 67058.
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. 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.

**FACTS COMMON TO ALL COUNTS**

5. The facts below are common to all counts:
  - a. On or about 3/24/2008, Respondent was employed as a staff nurse with Harper Hospital District No. 5 (Harper Hospital) in Harper Kansas.

- b. On or about 3/24/2008 through 7/14/2008, fifteen (15) medication errors and three (3) incidents involving Respondent were documented at Harper Hospital.
- c. After each error or incident, Respondent was counseled by Harper Hospital's Risk Manager, and Respondent signed a clinical review document which described each error or incident.
- d. On or about 7/11/2008, Respondent met with Karen S. Aldis, Director of Nursing at Harper Hospital, and Respondent stated that she planned to resign and would provide a written resignation on 7/14/2008 with her last day being 7/25/2008.
- e. On or about 7/14/2008, Respondent resigned, effective immediately.

#### VIOLATIONS

6. Respondent has violated the Kansas Nurse Practice Act as follows:
- a. Count 1: K.S.A. 65-1120(a)(3), to have committed an act of professional incompetency as defined in subsection (e), by 65-1120(e)(1), one or more instances involving failure to adhere to the applicable standard of care to a degree which constitutes gross negligence, as determined by the board.
  - b. Count 2: K.S.A. 65-1120(a)(3), to have committed an act of professional incompetency as defined in subsection (e), by 65-1120(e)(3), a pattern or practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing.
  - c. Count 3: K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the Board, by KAR 60-3-110(c), failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.

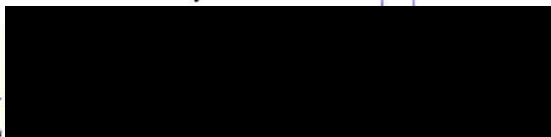
- d. Count 4: K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the Board, by KAR 60-3-110(d), inaccurately recording, falsifying, or altering any record of a patient or agency or of the board.
- e. Count 5: K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the Board, by KAR 60-3-110(l), leaving an assignment that has been accepted, without notifying the appropriate authority and allowing reasonable time for replacement.

WHEREFORE, petitioner requests a finding that the Respondent has violated the Nurse Practice Act, that Respondent's license to practice nursing in Kansas be revoked, and that costs of this action be assessed to the Respondent in the amount of \$70.00.

Respectfully submitted,

Stephen N. Six  
Kansas Attorney General

By:

  
Danielle R. Sanger #24587  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson #1051  
Topeka, KS 66612