

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

FILED
FEB 15 2011
KSBN

IN THE MATTER OF
ALICIA A. BENNETT
License No. 13-78344-061

Case No. 08-1092-3

SUMMARY ORDER

Now this 15th day of February, 2011, 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 proposes to find facts and deny the reinstatement RN application of Alicia A. Bennett by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. Applicant submitted a reinstatement RN application on 12/07/2010 to practice nursing in the state of Kansas. The Board has jurisdiction over the Applicant and the subject matter of this action.
2. Applicant's address of record is 1510 W Pawnee Apt #1113, Wichita KS 67213.
3. On or about 12/07/2010, the Board received Applicant's reinstatement RN application to practice nursing in the state of Kansas.
4. Review of the Application and other information gathered by the Board revealed the following information upon which this action is based.
5. On or about 01/17/2008, Applicant was convicted of a DUI and was granted a diversion. Applicant's diversion was completed successfully on 03/13/2008.
6. Between the dates of 02/07/2008 and 02/07/2011, Applicant entered treatment facilities six (6) times for drug or alcohol addiction.
7. On or about 02/21/2008, KNAP received a referral for Applicant for drug or alcohol addiction services.
8. On or about 03/31/2008, Applicant signed a contract with KNAP and began receiving drug or alcohol addiction services through KNAP.
9. On or about 11/25/2008, Applicant relapsed.
10. On or about 12/5/2008, a case, #08-1092-3, was opened by the Board to investigate claims that Applicant had relapsed while enrolled in KNAP.
11. On or about 07/01/2009, Applicant's RN license lapsed. Case #08-1092-3 was closed due to the lapse.

12. On or about 09/17/2009, Applicant was convicted of a DUI and was sentenced to a controlling term of ninety (90) days in county jail of which she was required to serve two (2) days in jail followed by six (6) days of house arrest. She then was placed on parole for one (1) year with the McPherson Municipal Court.
13. In a letter dated 12/30/2009, KNAP closed Applicant's case due to non-compliance and her license lapsing.
14. On or about 12/27/2010, Applicant's case #08-1092-3 was re-opened due to Applicant submitting a reinstatement application on 12/07/2010.

CONCLUSIONS OF LAW

1. 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 this act or may publicly or privately censure a licensee or holder of a certificate of qualification or authorization, if the applicant, licensee or holder of a certificate of qualification or authorization is found to have violated the Nurse Practice Act. The above fact findings establish evidence that the applicant does not meet the requirements of the Nurse Practice Act as set out in the following provisions:
 - a. K.S.A. 65-1115(a)(4): to be unable to practice with skill and safety due to current abuse of drugs or alcohol;
 - b. K.S.A. 65-1115(a)(6): to be guilty of unprofessional conduct as defined by rules and regulations of the board, by KAR 60-3-110(s), failing to complete the requirements of the impaired provider program of the board.

POLICY STATEMENT

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


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

1. **Applicant's reinstatement RN application to practice nursing in the state of Kansas is denied.**

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

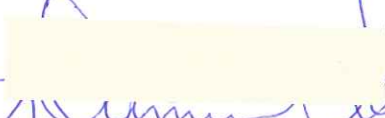
 PN
Janet Jacobs, LPN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 16th day of February, 2011, the foregoing copy of the Summary Order was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Alicia Bennett
1510 W Pawnee Apt #1113
Wichita KS 67213

Alicia Bennett
1912 S Oliver
Wichita KS 67213


Danielle Sanger
Danielle Sanger #24587
Assistant Attorney General