

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

FILED

APR 28 2015

IN THE MATTER OF ROBERT FRANKLIN BRYANT

KSBN

License No 13-79832-021

Case No. 14-1364-5

SUMMARY ORDER

NOW ON THIS 28th day of April, 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 renewal application of Licensee 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 P.O. Box 301 Haysville, Kansas 67060
3. On or about 30th day of March, 2015, the Board reviewed this case.
4. Review of the information gathered by the Board revealed the following information upon which this action is based.
5. According to a report:
 - (a) Licensee faxed in a statement requesting an address change.
 - (b) In that request, licensee mentioned being harassed at jobs by the police.
 - (c) He also stated that he was hearing police talk about him over their radio.
 - (d) An internal investigation revealed that on the 17th day of September, 2010, while employed at Wesley Medical Center, licensee threatened, used profane language and rude gestures towards colleagues and members of management.

(e) The behaviors were viewed as abusive, profane, threatening and intimidating in nature.

(f) Licensee confronted five staff members about coughing and sneezing around him.

(g) Licensee gave two of them an internet print off about a phenomenon called "gang stalking."

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 authorization, if the Licensee, licensee or holder of a certificate of qualifications or authorization is found to have violated the Nurse Practice Act.
2. The above fact findings established evidence that the Licensee violated the following provisions of the Nurse Practice Act:
 - a. K.S.A. 65-1120 (e) (3) professional incompetence as defined as a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing
 - b. K.S.A. 65-1120(a)(6) to be guilty of unprofessional conduct as defined by the rules and regulations.
- 3 Licensee's conduct described herein violated the Kansas Nurse Practice Act and renders the Licensee non-qualified for obtaining a renewal of his/her license.
- 4 K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the summary proceedings does not violate 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.

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

POLICY STATEMENT

1. The pattern of practice shows an inability to practice nursing is a danger to the public.
2. Mental fitness is essential in the nursing profession and is required to ensure safety of the nursing practice.


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. **Upon reinstatement in addition to the submission of the proper forms, fees and documentation of 30 hours of CNE, the Licensee will be required to submit proof of completion of a course of CNE that teaches about the Kansas Nurse Practice Act and also obtain mental health evaluation and follow recommendations.**

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.

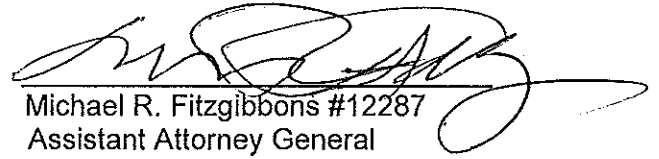
Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.


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

CERTIFICATE OF SERVICE

On the 29th day of April, 2015, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Robert Franklin Bryant
2150 N. Meridian Ave Apt 3805
Wichita, Kansas 67203.


Michael R. Fitzgibbons #12287
Assistant Attorney General