

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

FILED

FEB 03 2016

KSBN

FILED OAH
28 JAN '16 PM 2:04

IN THE MATTER OF KIMARU MAITHO

License No. 13-84780-052

Case No. 14-1496-7

PROPOSED DEFAULT ORDER TO REVOKE LICENSE

NOW ON THIS 26th day of January, 2016, petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Michael R. Fitzgibbons, Assistant Attorney General, for a Hearing on the Petition. Respondent does not appear.

Wherefore, the Presiding Officer finds as follows:

1. Respondent is licensed to practice nursing in Kansas. The Kansas State Board of Nursing 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 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 \$100 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. If this Proposed Default Order becomes effective, the Respondent's request for administrative hearing is dismissed pursuant to K.S.A. 77-520(d).
10. Disciplinary counsel shall mail a copy of this proposed default order to respondent's last known address.

IT IS SO ORDERED.



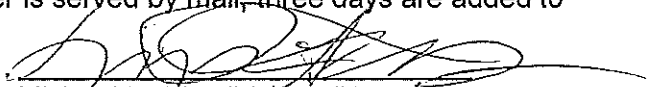
Sandra Sharon, Law Judge
Office of Administrative Hearings
1020 S Kansas Ave.
Topeka, KS 66612-1327

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 7 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 30th 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.

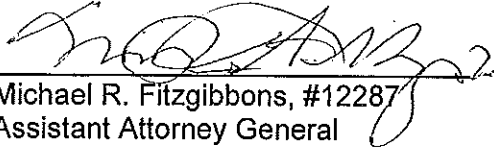


Michael R. Fitzgibbons, #12287
Disciplinary Counsel
Kansas State Board of Nursing
900 S.W. Jackson, Suite #1051
Topeka, KS 66612-1230
785-296-4325

CERTIFICATE OF SERVICE

I certify that on the 3rd day of February 2016, the foregoing copy of the PROPOSED DEFAULT ORDER TO REVOKE LICENSE was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Kimaru Maitho
P.O. Box 2201
Olathe, Kansas 66051-2201


Michael R. Fitzgibbons, #12287
Assistant Attorney General

15BNO169
9/29

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

MAY 21 2015

FILED OAH

14 MAY '15 PM 1:56

IN THE MATTER OF

KIMARU MAITHO

License No. 13-84780-052

KSBN

Case No. 14-1496-7

NOTICE OF SHOW CAUSE HEARING

Please find enclosed a pleading filed with the Board regarding your license. The Board has the authority under the Nurse Practice Act, K.S.A. 65-1113 *et seq.*, to convene these proceedings which are conducted in accordance with the Administrative Procedure Act, K.S.A. 77-501 *et seq.*

PLEASE TAKE NOTICE that a hearing on the Motion to Show Cause has been set by the Board for the 29th day of September 2015, at 9:00 a.m., or as soon thereafter as time permits, before Sandra L. Sharon, an impartial hearing officer, in Room 560, Landon State Office Building, 900 S.W. Jackson, Topeka, Kansas, at which time the Board will hear evidence regarding the charge(s) against you. You have the right to appear at said hearing in person or with counsel to produce evidence and witnesses on your behalf, to cross-examine any witness who may testify against you, and to examine such evidence as may be produced against you, pursuant to the Kansas Administrative Procedures Act.

Address originals of any correspondence or pleadings in this matter to:

Kansas State Board of Nursing
Attention: Tricia Waters
900 S.W. Jackson, Room 1051
Topeka, Kansas 66612-1365
Telephone 785/296-4325

Additionally, you must serve a copy of any pleading on disciplinary counsel, the name and address of whom appears on the certificate of service attached to this notice. Application for continuances of hearings shall be made in writing specifying the grounds in support thereof

and a copy thereof must be served upon the opposing party. Such application should be supported by affidavits filed with the Board no later than seventy-two (72) hours prior to the time set for hearing, except where an emergency or exceptional circumstances exist. This present action shall not preclude the agency from initiating an action under K.S.A. 77-536 for emergency adjudication if warranted.

Any party who fails to attend the hearing or any stage of this adjudicative process may be held in default pursuant to K.S.A. 77-518 and K.S.A. 77-520.

The Board fax number is 785-296-3929. Disciplinary Counsel for the Board can be reached at 785-296-4325.



Sandra L. Sharon
Administrative Law Judge
Office of Administrative Hearings
1020 S Kansas Ave.
Topeka, KS 66612-1327
785-296-2433

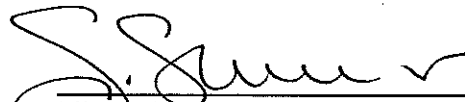
CERTIFICATE OF SERVICE

On the 26th day of May, 2015, I deposited a copy of this Notice of Show Cause Hearing in the United States Postal Service, postage pre-paid, addressed to:

Kimaru Maitho
P.O. Box 2201
Olathe, KS 66051

And by building mail to the following:

Michael Fitzgibbons
Disciplinary Counsel
Kansas State Board of Nursing
900 SW Jackson, Ste. 1051
Topeka, KS 66612-1365
785-296-4325


Office of Administrative Hearings Staff