

BEFORE THE KANSAS STATE BOARD OF NURSING

IN THE MATTER OF
JEANETTE MARIE CARDINAL
License No. 13-84919-122

Case No. 14-1980-3
OAH No. 16BN0041

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INITIAL ORDER

Now on this 24th day of June 2016, the above-captioned matter comes on for hearing before the Kansas State Board of Nursing (Board/Petitioner) pursuant to K.S.A. 77-536. Sandra L. Sharon was duly appointed Presiding Officer/Administrative Law Judge pursuant to K.S.A. 77-514. The Petitioner, the Kansas State Board of Nursing, appears by Assistant Attorney General Bryce D. Benedict, Disciplinary Counsel for the Board. The respondent, Jeanette Marie Cardinal, appears in person and through her attorney, Allie Prester.

Findings of Fact

1. On December 3, 2014, the respondent was referred to the Kansas Nurse Assistance Program (KNAP) for chemical dependency and mental health evaluations.
2. The respondent failed to enter into an agreement with KNAP for monitoring.
3. The respondent's case with KNAP was closed as unsuccessful.

Applicable Law

1. K.S.A. 65-1120 grants the Board the authority to deny, revoke, limit, or suspend any license to practice nursing in the State of Kansas upon a finding of a violation of the Kansas Nurse Practice Act.
2. It is a violation of the Kansas Nurse Practice Act to complete the requirements of the impaired provider program of the Board (KNAP). K.S.A. 65-1120(a)(7) and K.A.R.60-3-110(s).

Discussion

1. The respondent violated the Kansas Nurse Practice Act by failing to complete the requirements of the impaired provider program of the Board. K.S.A. 65-1120(a)(7) and K.A.R. 60-3-110(s).

Conclusion

1. The Board's Petition to revoke the respondent's license to practice nursing in the State of Kansas is granted.
2. Cost of this action shall be assessed against the respondent in the amount of \$100.00 pursuant to K.S.A. 65-1120(d).

Appeal Rights and Other Administrative Relief

Pursuant to K.S.A. 77-527, either party may request a review of this initial order by filing a petition for review with the Kansas State Board of Nursing. A petition for review must be filed within 15 days from the date this initial order was served. 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: Mary Blubaugh, Executive Director, Board of Nursing, Landon State Office Building, 900 SW Jackson, Suite 1051, Topeka, KS 66612-1230.

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.

Pursuant to K.S.A. 77-530, if a request for review is not made in the time and manner stated above, this initial order shall become effective as a final order 30 days after service.



Sandra L. Sharon
Administrative Law Judge/Presiding Officer
Office of Administrative Hearings
1020 S. Kansas Ave.
Topeka, KS 66612
Telephone: 785-296-2433

CERTIFICATE OF SERVICE

On June 27, 2016, I mailed this original document through State Building
Mail to:

Mary Blubaugh
Executive Administrator
Kansas State Board of Nursing
900 SW Jackson, LSOB, Ste. 1051
Topeka, KS 66612
Telephone: 785-296-4325

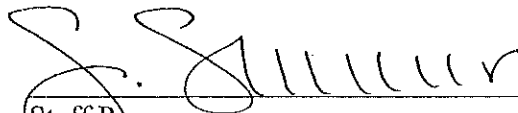
and a copy of this document through State Building Mail to:

Bryce D. Benedict, Assistant Attorney General
Disciplinary Counsel for the Kansas State Board of Nursing
900 SW Jackson, LSOB, Ste. 1051
Topeka, KS 66612
Telephone: 785-296-2512

and a copy of this document through first class mail to:

Jeanette Marie Cardinal
1818 Marc Street
Salina, KS 67401

Allie Prester
BLACKWELL & STRUBLE
P.O. Box 795
Salina, KS 67402



Staff Person
Office of Administrative Hearings