

118N0039
SLS

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

FILED
MAY 11 2011

IN THE MATTER OF
TANIS J. JOHNSON
License No. 13-85498-071

KSBN

Case No. 09-1113-5

AGREED ORDER TO LIFT STAY OF SUSPENSION AND SUSPEND LICENSE FOR SIX MONTHS

This Agreed Order is entered into on this 11th day of May, 2011, by the Kansas State Board of Nursing, by and through Disciplinary Counsel, Alma A. Heckler, the Respondent, Tanis J. Johnson, and as approved by the Administrative Hearing Officer.

Respondent fully understands and agrees to the following:

1. Respondent is licensed to practice nursing in Kansas through 7/31/2011. The Kansas State Board of Nursing (Board) has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent's address of record is 9631 SW Santa Fe Lake Road, Augusta, KS 67010.
3. 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.
4. Respondent has the right to these hearings and the right to seek review of the findings from the hearings in accordance with the Kansas Administrative Procedure Act and the Act for Judicial Review and Civil Enforcement of agency actions. Respondent is waiving those rights and knowingly and voluntarily entering into this agreement instead of proceeding to these hearings. This agreed order will conclude the Board action pending at this time against Respondent's license.

5. Respondent understands that pursuant to K.S.A. 77-515, Respondent may be represented at Respondent's expense by, an attorney during these proceedings.

6. (a) A petition was filed March 17, 2011 to take disciplinary action against the Respondent's license.

(b) On or about January 11, 2011, Licensee entered a Final Order and Consent Agreement (Consent Agreement), with Board to resolve case number 09-1113-5. The effective date of the Consent Agreement was January 11, 2011. The Consent Agreement remains in effect until such time as the Licensee completes all conditions and requirements of the Consent Agreement. Licensee has not completed all the conditions and requirements of the Consent Agreement.

(c) Pursuant to the January 11, 2011 Consent Agreement, Licensee's license to practice nursing in Kansas was suspended. The suspension was stayed so long as Licensee continued to meet the conditions and requirements of the Consent Agreement.

(d) Conditions of the Consent Agreement included a condition that the Licensee participate in and complete the recommendations and requirements of the Kansas Nursing Assistance Program (KNAP). KNAP is the impaired Provider Program of the Board.

(e) On or about March 1, 2011, KNAP closed Licensee's KNAP case due to noncompliance. KNAP reported that Licensee failed to submit to urine drugs screens as directed; failed to comply with monthly monitoring requirements; failed to provide proof of attendance at 12 step meeting as directed. By failing to comply with the KNAP program, Licensee has violated the January 11, 2011 Consent Agreement and the Board has been unable to monitor if respondent is compliant with the rest of the terms of the Consent Agreement, to include narcotic key restrictions and employment restrictions.

(f) Pursuant to the January 11, 2011 Consent Agreement should the Stay of Suspension be lifted due to a finding of non-compliance with the Consent Agreement, the Suspension will not again be Stayed until the Licensee has, following the prescribed time period

of suspension, provided written verification to the Board that Licensee is in compliance with all conditions and requirements of the Consent Agreement.

VIOLATIONS

7. Respondent has violated the Kansas Nurse Practice Act as follows:

Count 1: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(r), failing to comply with any disciplinary order of the board.

Count 2: K.S.A. 65-1120(a)(6), unprofessional conduct, by failing to complete the requirements of the impaired provider program of the board; K.A.R. 30-3-110(s).

Count 3: K.S.A. 65 1120(a)(4) to be unable to practice with skill and safety due to current abuse of drugs or alcohol.

8. Based upon this agreed order, the parties agree that Respondent agrees to the suspension of her license to practice nursing in the state of Kansas for a period of six months, to begin on the date this agreed order is filed with the Office of Hearings and Appeals.

9. The parties agree that Respondent's license to practice nursing in Kansas is immediately suspended as of the date of the filing of this order. Respondent shall not practice nursing in the state of Kansas until the six month period of suspension is complete and until she demonstrates her compliance with the terms of the Consent Agreement and that she is safe to practice.

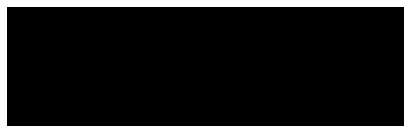
10. Upon signing this agreed order and returning it to the Board, Respondent shall return Respondent's license card, if she has one, with the agreed order.

11. Respondent shall send a money order for \$70 to the Board upon entering into this agreement to pay the cost of this action.

12. By their signatures, the parties hereby acknowledge this agreed order.

13. Disciplinary counsel shall mail a copy of this Agreed Order to Lift the Stay of Suspension and Suspend to respondent's address.

IT IS SO ORDERED.




Sandra L. Sharon, Presiding Officer

Acknowledged by:



Tanis J. Johnson
Respondent
9631 SW Santa Fe Lake Road
Augusta, KS 67010




Alma A. Heckler, #11555
Assistant Attorney General
Kansas State Board of Nursing
Landon State Office Building
900 SW Jackson #1051
Topeka, KS 66612

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 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.

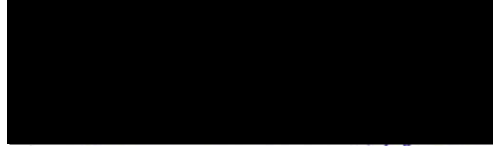


Alma A. Heckler, #11555
Disciplinary Counsel
Kansas State Board of Nursing
900 S.W. Jackson, Suite #1051
Topeka, KS 66612-1230
785-296-4325

CERTIFICATE OF SERVICE

On the 19th day of May, 2011, I mailed a copy of this AGREED ORDER TO LIFT STAY OF SUSPENSION AND SUSPEND LICENSE FOR SIX MONTHS to:

Tanis J. Johnson
9631 SW Santa Fe Lake Road
Augusta, KS 67010



Alma A. Heckler, #11555
Assistant Attorney General