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OCT 22 2003

Board of Nursing

**BEFORE THE KANSAS STATE BOARD OF NURSING**

LONDON STATE OFFICE BUILDING, 900 S.W. JACKSON #1051  
TOPEKA, KANSAS 66612-1230

**IN THE MATTER OF THE LICENSE OF  
TRUDY STATHAS  
LICENSE NO. 13-087167-062**

**CASE NO. 01-105-7, 01-352-7**

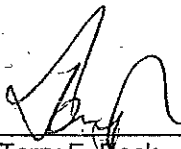
**PROPOSED DEFAULT ORDER  
REVOKING LICENSE**

NOW ON THIS 22nd day of October, 2003, petitioner appears by disciplinary counsel, Betty Wright, for a pre-hearing conference on the petition. Respondent does not appear.

Wherefore, the hearing officer finds as follows:

1. Respondent is licensed as a L.P.N. through 5/31/2003. The board has jurisdiction over this matter.
2. Petitioner sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper.
3. Petitioner moves for issuance of a proposed default order revoking the respondent's license.
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. Respondent shall pay the costs of the action of \$70.
7. Disciplinary counsel shall mail a copy of this order to respondent's last known address.

**IT IS SO ORDERED**

  
\_\_\_\_\_  
Terry E. Beck  
Hearing Officer

NOTICE

This is a proposed default order pursuant to K.S.A. 77-520. This order becomes effective if respondent does not file a written motion requesting that this order be vacated with the board at:

State Board of Nursing –Legal Division  
Landon State Office Building  
900 SW Jackson, Ste 1051  
Topeka, KS 66612-1230

within seven days after the day this order is mailed. If a motion is timely filed, then a hearing will be set and notice given to respondent to appear. Another order will then be issued either vacating or affirming this order.

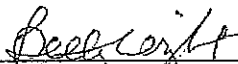


Betty Wright #14785  
Disciplinary Counsel  
900 S.W. Jackson, Suite #1051  
Topeka, Kansas 66612-1230  
785/296-4325

CERTIFICATE OF SERVICE

On the 22 day of October, 2003, I mailed a copy of this order by depositing it with the United States Postal Service, postage prepaid, addressed to:

Trudy Stathas  
901 North 54th  
Kansas City, KS 66102



Betty Wright, Assistant Attorney General

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Board of Nursing

**BEFORE THE KANSAS STATE BOARD OF NURSING**  
LONDON STATE OFFICE BUILDING, 900 S.W. JACKSON #1051  
TOPEKA, KANSAS 66612-1230

IN THE MATTER OF  
**TRUDY STATHAS**  
LICENSE NO. 23-016899-051

CASE NO. 01-105-7 & 01-352-7

**PETITION**

**COMES NOW** the petitioner, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Alma A. Heckler, and for its cause of action states that:

1. Respondent is licensed to practice nursing through 5/31/2003.
2. Respondent's address of record is 901 N. 54<sup>th</sup>, Kansas City, KS 66102.
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that the respondent violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
4. 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.
5. Respondent has violated the provisions of K.S.A. 65-1120 and is guilty of unprofessional conduct as defined by rules and regulations of the Board due to her failure to respond to legal requests by the Board for information.

### FACTS COMMON TO ALL COUNTS

**Case No. 01-105-7** On or about 11/9/00, a CNA informed the respondent of a resident's low blood pressure. The blood pressure was documented to be 76/39 and the attending physician was notified at 1535. An order was received to hold blood pressure medication. The next blood pressure was 61/42 at 1836 and 76/45 at 2145. The physician, charge nurse or supervisor were notified of the last two blood pressures.

The incident was investigated by the Kansas Board of Nursing and was presented to the Investigative Committee on July 9, 2001. It was the decision of the committee to ask the respondent to obtain three (3) hours of Continuing Nurse Education (CNE) on Legalities in Nursing and three (3) hour on Assessment. The Board requested the respondent forward the original certificates of the Continuing Nurse Education certificates and the respondent agreed in writing to complete the requested CNE in a letter received on 7/18/01, but no certificates were ever received.

**Case No. 01-352-7** On or about 6/13/01, a patient had orders for Percocet 1 tab every six (6) hours for pain. Respondent intentionally gave two (2) Percocet tabs every six (6) hours at 1600 and 2300 without a physician's order. Respondent charted that she only gave one tab of Percocet. Patient was the respondent's husband.

The incident was investigated by the Kansas Board of Nursing and was presented to the Investigative Committee on December 3, 2001. It was the decision of the committee to ask the respondent to obtain two (2) hours of Continuing Nurse Education (CNE) on The Kansas Nurse Practice Act and three (3) hour on Ethics. The Board requested the respondent forward the original certificates of the Continuing Nurse Education certificates in a letter dated 12/7/01 with no response from respondent, a letter dated 2/22/02 was sent to respondent requesting the certificates for case #01-105-7 and 01-352-7, with no response from respondent.

On 3/14/03 another letter was sent to the respondent requesting the original certificates

of completion for both cases, again with no response from respondent.

**COUNT I**

Respondent has violated K.S.A. 65-1120(a)(3), professional incompetence, a failure to adhere to the applicable standard of care amounting to gross negligence or a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice nursing.

**COUNT II**

Respondent has violated K.A.R. 60-3-110(a), performing acts beyond the authorized scope of the level of nursing for which the individual is licensed.

**COUNT III**

Respondent has violated K.A.R. 60-3-110(d), inaccurately recording, falsifying, or altering any record of a patient or agency or of the Board.

**COUNT IV**

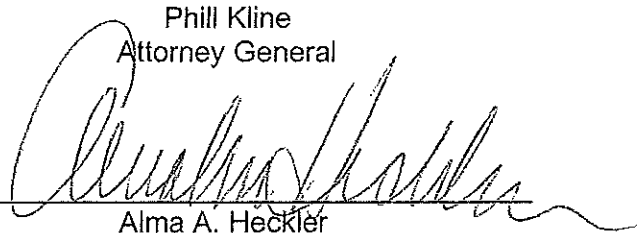
Respondent has violated K.A.R. 60-3-110(r) failing to comply with any disciplinary order of the board.

**WHEREFORE**, petitioner requests a finding that the respondent has violated the Nurse Practice Act, that the respondent's license should be revoked or sanctions should be imposed, for violations of the Nurse Practice Act. Costs of this action should be assessed to the respondent in the amount of \$70.00.

Respectfully submitted,

Phill Kline  
Attorney General

By: \_\_\_\_\_

  
Alma A. Heckler  
Assistant Attorney General