

FILED

SEP 30 2008

KSBN

BEFORE THE KANSAS STATE BOARD OF NURSING

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

**IN THE MATTER OF
SHONNEL R. SHEPARD
License No. 13-092125-042**

**Case No. 06-234-5
OAH No. 09BN0041**

PROPOSED DEFAULT ORDER TO REVOKE LICENSE

NOW ON THIS 30th day of September, 2008, petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Mark A. Knight, 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 through 4/30/2010. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
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 respondent's license. The petitioner's request is granted by default.
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. The Respondent violated the May 29, 2007, Diversion Agreement in KSBN case number 06-234-5, as alleged in the petition.
6. Per petitioner's request, respondent's license to practice nursing is revoked. Respondent may not practice nursing in Kansas.
7. Costs of the action of \$70 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.
8. Respondent shall immediately forward his or her original Kansas registered nurse license to the Kansas State Board of Nursing.

9. Disciplinary counsel shall mail a copy of this proposed default order to respondent's last known address.

IT IS SO ORDERED.



Sandra L. Sharon, Presiding 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 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. The written motion is to be filed at:

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

Mark A. Knight, #12183
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 30th day of September, 2008, the foregoing copy of the Proposed Default Order Revoking License was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Shonnel R. Shepard
1118 N Crestway St
Wichita, KS 67208

Mark A. Knight
Assistant Attorney General

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DEC 01 2008

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

IN THE MATTER OF
SHONNEL R. SHEPARD
License No. 13-092125-042

Case No. 06-234-5
OAH No. 09BN0041

**NOTICE OF PROPOSED DEFAULT ORDER
AND
PROPOSED DEFAULT ORDER**

NOW on this 25th day of November, 2008, petitioner, the above-captioned matter comes on for hearing on the Respondent's Motion to Vacate Proposed Default Order.

The Respondent appeared *pro se*. The Kansas State Board of Nursing appeared through its disciplinary counsel, Mark A. Knight.

The Presiding Officer finds.

1. On September 30, 2008, a Proposed Default Order was issued against the Respondent for failure to participate in the prehearing scheduled for that same day.
2. The Respondent filed a Motion with the Board to Vacate the Proposed Default Order.
3. The Respondent's explanation as to why she failed to participate in the prehearing was confusing at best.
4. The Respondent has failed to establish good cause to vacate the Proposed Default Order. The Proposed Default Order shall be effective as of the date of this order.
5. The Respondent has a right to judicial review of the action pursuant to K.S.A. 77-601 *et seq.*
6. Per the Petitioner's request, the Respondent's license to practice nursing is revoked. The Respondent shall not practice nursing in the State of Kansas.
7. Costs of this action of \$70.00 are assessed to the Respondent to be paid to the Board by cash or money order within 30 days of the date of this Order.

The Presiding Officer, being well and duly advised in the premises, issues this Default Order pursuant to K.S.A. 77-520.

IT IS SO ORDERED.

OFFICE OF ADMINISTRATIVE HEARINGS


Sandra L. Sharon, Presiding Officer
Office of Administrative Hearings
1020 S. Kansas Avenue
Topeka, Kansas 66612

CERTIFICATE OF SERVICE

On DEC 1, 2008, I mailed a copy of this document to:

Shonnel R. Shepard
1832 N. Spruce
Wichita, KS 67214

Mark A. Knight
Disciplinary Counsel
Kansas State Board of Nursing
Landon State Office Bldg.
900 SW Jackson, #1051
Topeka, KS 66612

Staff Person
Office of Administrative Hearings
1020 S. Kansas Avenue
Topeka, Kansas 66612
Phone (785) 296-2433