

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

KSBN

**IN THE MATTER OF ASHLEIGH RENE REES****License No. 13-93303-082****Case No.13-1486-6****SUMMARY ORDER**

NOW ON THIS 26<sup>th</sup> day of December, 2013, THE ABOVE MATTER COMES BEFORE THE Kansas State Board of Nursing (Board) pursuant to authority granted to the Board by K.S.A. 65-1120. The Board hereby proposed to find facts and take disciplinary action against the licensee's license by way of Summary Order as provided by K.S.A. 77-537.

**FINDINGS OF FACT**

1. This Licensee is licensed to practice nursing in the state of Kansas. The Board has jurisdiction over the Licensee and the subject matter of this action.
2. Licensee's address of record is 2002 n. Harvest Ridge Street Andover, Kansas 67002.
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. Review of the information gathered by the Board revealed the following upon which this action is based.
  - (a) According to a report, it is alleged that while you were employed by Pro Active Home Care, Wichita, Kansas, licensee financially exploited a patient.
  - (b) Licensee admitted to taking over \$6,000 (Six thousand Dollars) from a patient.
  - (c) Licensee was terminated from her employment.
  - (d) This incident occurred on or about the 22<sup>nd</sup> day of May, 2013.
  - (e) Licensee was terminated from employment on the 13<sup>th</sup> day of October, 2013.

(f) Investigator contacted licensee regarding this incident and licensee failed to respond.

5. This Licensee violate the Nurse Practice Act by unprofessional conduct by exploitation of a patient for financial gain, fraud and deceit in practicing nursing and failing to cooperate with the investigation.

#### CONCLUSIONS OF LAW

a K.S.A. 65-1120(a)(6), unprofessional conduct, exploitation, which shall be defined as misappropriating a patient's property or taking unfair advantage of a patient's physical or financial resources for the licensee's or another individual's personal or financial advantage by use of undue influence, coercion, harassment, duress, deception, false pretense or false representation; KAR 60-3-110 (o).

b. K.S.A. 65-1120(a)(1) unprofessional conduct by fraud or deceit in practicing nursing.

c. K.S.A. 65-1120 (3) to be guilty of unprofessional conduct failing to furnish the board, its investigators, or its representative with any information legally requested by the board KAR 60-3-110 (t).

6. Pursuant to K.S.A. 65-1120(a), the Kansas State Board of Nursing may deny, revoke, limit or suspend any license, certificate of qualification or authorization to practice nursing as a registered professional nurse, as a licensed practical nurse, as an advanced registered nurse practitioner or as a registered nurse anesthetist that is issued by the board or applied for under authorization, if the Licensee, Licensee or holder of a certificate of qualifications or authorization is found to have violated the Nurse Practice Act.

7. The above fact findings established evidence that the Licensee violated the following provisions of the Nurse Practice Act:

Count 1: K.S.A. 65-1120(a)(6), unprofessional conduct, exploitation, which shall be defined as misappropriating a patient's property or taking unfair advantage of a patient's physical or financial resources for the licensee's or another individual's personal or

financial advantage by use of undue influence, coercion, harassment, duress, deception, false pretense or false representation; KAR 60-3-110 (o).

Count 2: K.S.A. 65-1120(a)(1) unprofessional conduct by fraud or deceit in practicing nursing.

Count 3: K.S.A. 65-1120 (3) to be guilty of unprofessional conduct failing to furnish the board, its investigators, or its representative with any information legally requested by the board KAR 60-3-110 (t).

K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the summary proceedings do not violate any provision of law and the protection of the public interest does not require the state agency to give notice and opportunity to participate to persons other than the parties.

8. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

#### **POLICY STATEMENT**

1. Dishonesty and exploitation of patients for financial gains violation the fundamental public trust that is placed on the nursing professional.
2. Failure to respond to investigators efforts in a violation of the nurse's duty to the Kansas State Board of Nursing.


#### **IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT**

1. **Licensee's license to practice nursing in the state of Kansas is revoked.**
2. **Licensee shall pay \$70.00 costs of this action to the Board within thirty (30) days of the effective day of this Order.**

Pursuant to K.S.A. 77-537, the decision, which is called a Summary Order, is subject to your request for hearing. If you desire a hearing, you must submit or direct a **written** request for hearing to: Kansas State Board of Nursing, Legal Division, 900 SW Jackson, Suite 1051, Topeka, Kansas 66612-1230, (785) 296-4325. **THIS REQUEST MUST BE SUBMITTED WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS ORDER.** If a hearing is not

requested in the time and manner stated, this Summary Order becomes effective as a final order, without further notice, upon the expiration of the time for requesting a hearing.


Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.

  
Judith Hiner RN, BSN  
Investigative Committee, Chair  
Kansas State Board of Nursing

**CERTIFICATE OF SERVICE**

On the 26<sup>th</sup> day of December, 2013, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Ashleigh Rene Rees  
2002 N. Harvest Ridge Street  
Andover, Kansas 67002

  
Michael R. Fitzgibbons #12287  
Assistant Attorney General