

FILED - OAH  
10 AUG '10 AM 9:50

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**FILED**

**AUG 9 2010**

**KSBN**

**IN THE MATTER OF**

**LORI A. HOOKER**

**License No. 13-094942-102**

**Case No. 08-266-7**

**AMENDED PROPOSED DEFAULT ORDER TO DENY LICENSE**

NOW ON THIS 12<sup>th</sup> day of August, 2010, petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Alma A. Heckler, for a Hearing on the Petition. Respondent does not appear.

Wherefore, the Presiding Officer finds as follows:


1. Respondent was licensed as a registered nurse through 10/31/2008. Respondent submitted a Reinstatement Application to the Board on or about May 2009. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent was sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper. Respondent does not appear.
3. Petitioner moves for issuance of a proposed default order denying the respondent license to practice nursing in the state of Kansas. The petitioner's request is granted by default pursuant to K.S.A. 77-520.
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 application to practice nursing is denied. Respondent may not practice nursing in Kansas.
6. 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.

7. This Proposed Default Order shall become effective seven days after service or ten days after mailing of this order unless the Respondent files a written motion with the Board stating why the Proposed Default Order should be vacated and the order is then vacated.

8. If this Proposed Default Order becomes effective, the Respondent's request for administrative hearing is dismissed pursuant to K.S.A. 77-520(d).

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

**IT IS SO ORDERED.**



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Sandra L. Sharon, Presiding Officer  
Office of Administrative Hearings  
1020 S Kansas Ave.  
Topeka, KS 66612-1327

#### 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 7 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 30<sup>th</sup> 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.




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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

I certify that on the 13 day of August, 2010, the foregoing copy of the Proposed Default Order To Deny License was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Lori A. Hooker  
21191 West 227th St.  
Spring Hill, KS 66083

  
\_\_\_\_\_  
Alma A. Heckler  
Assistant Attorney General

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**IN THE MATTER OF  
LORI A. HOOKER  
License No. 13-094942-102**

**Case No. 08-266-7**

**FILED**  
**APR 23 2010**  
**KSBN**

**FILED - OAH**  
**27 APR '10 AM 9:47**

**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, Lori A. Hooker, filed a reinstatement application in May 2009 after she let her license to practice nursing lapse on or about 10/31/2008. An administrative hearing was held in the matter on or about September 29, 2009. The respondent appeared. The presiding officer issued a decision on October 29, 2009. The initial order was not appealed and it is now final. The respondent's pending application for reinstatement was stayed for six (6) months, while the respondent enrolled in the [REDACTED] and showed six straight months of clean urine drug screens. The Board has jurisdiction over the Respondent and the subject matter of this action.

2. Respondent's address of record is 21191 West 227th St., Spring Hill, KS 66083.

3. The Board received notice on or about April 21, 2010 that the respondent's KNAP case has been closed due to respondent's failure to enroll in Affinity for drug screens and her failure to submit 12 step attendance sheets. Respondent has violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and the board order dated October 29, 2010.

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.

**FACTS COMMON TO ALL COUNTS**

5. The facts below are common to all counts:

(a) The presiding officer found after hearing the following facts:

1. In October 2007, the Respondent was referred to the [REDACTED] [REDACTED] by her employer, Kansas University Medical Hospital. The event which caused the Respondent's employer to refer her to [REDACTED] was a traffic stop by the Kansas highway patrol for which the Respondent was arrested for Driving Under the Influence (DUI). During the traffic stop, the Kansas Highway Patrol found a prescription bottle that contained 18 tablets methadone; a blank prescription pad; three files of Lorazepam; a syringe of morphine; and a syringe of lortab, all from the respondent's employer.
2. While participating in [REDACTED] the Respondent relapsed on or about February 26, 2008.
3. On October 31, 2008, the Respondent allowed her license to practice nursing to lapse.
4. In May 2009, the respondent submitted a completed reinstatement application with the Board. During the investigation for this application, the Board found the respondent had unreported felony and misdemeanor convictions; three convictions were for driving Under the Influence.
5. Because the Respondent no longer had an active license to practice nursing, her [REDACTED] case was closed on November 7, 2008.

(b) In the October 29, 2009 Initial Order Respondent was ordered to enroll in KNAP and show six months of clean urine drug screens, while the pending reinstatement application was stayed.

(c) Respondent failed to enroll in the [REDACTED] as requested by [REDACTED]. No drug screens have been completed and [REDACTED]

██████████ Respondent's ██████████ case has been closed for noncompliance as of April 20, 2010.

(d) The stay on respondent's reinstatement application of May 2009 should be lifted and the application denied due to the respondent's failure to complete any urine drug screens and to follow the Board's orders as outlined in the order dated October 29, 2009. Respondent has failed to demonstrate that she is safe to practice with skill and safety.

**VIOLATIONS**

6. 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 (s) failing to complete the requirements of the impaired provider program of the board.

Count 2: 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.

WHEREFORE, Petitioner requests a finding that the Respondent has violated the above mentioned Board order, that Respondent has violated the Kansas Nurse Practice Act, that the stay on Respondent's reinstatement application to practice nursing in Kansas be lifted and the reinstatement application be denied, and that costs of this action should be assessed to the Respondent in the amount of \$70.00.

Respectfully submitted,

Stephen N. Six  
Kansas Attorney General

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

Alma A. Heckler, #11555  
Assistant Attorney General