

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

FILED
DEC 15 2009
KSBN

IN THE MATTER OF
JODY M. PETERSON
License No. 13-095056-112

Case No. 06-1117-7

SUMMARY ORDER

Now this 14th day of December 2009, 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 proposes to find facts and take disciplinary action against the reinstatement application of Jody M. Peterson (Applicant) by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. Applicant was previously licensed to practice nursing in the state of Kansas. Applicant's license to practice nursing in the state of Kansas as a registered nurse lapsed on or about November 30, 2006. Applicant submitted an application for reinstatement of Applicant's license to practice nursing in the state of Kansas.
2. Applicant's address of record is 5331 Monrovia, Shawnee, KS 66216.
3. On or about July 24, 2008, the Board received Applicant's application for reinstatement of Applicant's license to practice nursing in the state of Kansas.
4. Review of the Application and other information gathered by the Board revealed the following information upon which this action is based:
 - a) Applicant continued to practice as a registered nurse after her license lapsed on November 30, 2006, and was terminated from her employment on December 7, 2006, for unlicensed practice.
 - b) At that time, Applicant told her employer that she had submitted a renewal application to Kansas State Board of Nursing (KSBN) in November 2006. KSBN has no record of having received the application.
 - c) On a subsequent job application, Applicant misrepresented her reason for leaving employment.
 - d) Applicant failed to disclose a criminal conviction in applications for employment with Overland Park Regional Medical Center and Shawnee Mission Medical Center.
 - e) By letter dated August 8, 2008, the Board offered an agreed fine of \$50 for unlicensed practice from December 1 through December 6, 2006, and reinstatement of Applicant's license with a signed agreement, payment of the fine, and satisfaction of all licensing requirements.
 - f) To date, Applicant has not responded to the letter.

CONCLUSIONS OF LAW

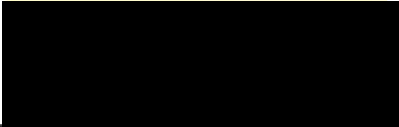
1. The Board has jurisdiction over the Applicant and the subject matter of this action.
2. The Board may deny, revoke, limit or suspend any license, certificate of qualification or authorization to practice nursing as a registered professional nurse, as a licensed practical nurse, as an advanced registered nurse practitioner or as a registered nurse

- anesthetist that is issued by the board or applied for under this act or may publicly or privately censure a licensee or holder of a certificate of qualification or authorization upon making any of the findings enumerated in K.S.A. 65-1120(a).
3. Evidence supports the following grounds for denial of Applicant's license reinstatement application:
 - a. K.S.A.65-1120(a)(1), to be guilty of fraud or deceit in practicing nursing or in procuring or attempting to procure a license to practice nursing.
 - b. K.S.A. 65-1120(a)(6), unprofessional conduct as defined by by K.A.R. 60-3-110(d), inaccurately recording, falsifying, or altering any record of a patient or agency or of the board, or in the alternative, as defined by K.A.R. 60-3-110(m), engaging in conduct related to licensed nursing practice that is likely to deceive, defraud, or harm the public;
 - c. K.S.A. 65-1120(a)(6), unprofessional conduct as defined by K.A.R. 60-3-110(v), practicing without a license or while the license has lapsed.
 4. Applicant's conduct described herein violates the Kansas Nurse Practice Act.
 5. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency if the use of summary proceedings does not violate any provision of law and the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties.
 6. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.
 7. Applicant's application for reinstatement of her nursing license should be denied.

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT Applicant's reinstatement application to practice nursing in the state of Kansas is denied.

Pursuant to K.S.A. 77-537, this decision, which is called a Summary Order, is subject to your request for a 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.

 *PN*
Janet Jacobs
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 15th day of December 2009, the foregoing copy of the Summary Order was served by United States Mail, first-class postage prepaid, addressed to the following:

Jody M. Peterson
5331 Monrovia
Shawnee, KS 66216



Brenda J. Clary, #18770
Assistant Attorney General