

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

JAN 07 2014

IN THE MATTER OF LAURA ANN BRADBURY

KSBN

License No. 13-98370-091

Case No. 10-1236-7 12-1340-8 AND 13-539-9

SUMMARY ORDER

NOW ON THIS 7th day of January, ~~2013~~²⁰¹⁴, 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 4411 Gretchen Court, Lawrence, Kansas 66047.
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 licensee was employed by Overland Park Regional Medical Center, Overland Park, Kansas, licensee diverted medication and was terminated.
 - (b) This incident allegedly occurred on or about the 18th day of September 2010.
 - (c) According to another report, it is alleged that while licensee was employed by Manor Care Overland Park, Kansas, licensee diverted medication.
 - (d) This incident allegedly occurred on or about July, 2012.

- (e) Licensee was suspended and then terminated on the 10th day of July, 2012.
 - (f) Investigative letter was sent on the 6th day of November 2013 and there has been no response.
 - (g) Then a third report was made on this licensee. According to a report, licensee was employed by Holiday Resort, Emporia, Kansas, where licensee was employed.
 - (h) Licensee was terminated for falsifying residents medical records.
 - (i) This incident occurred on or about the 29th day of January, 2013.
 - (j) Licensee was terminated for falsifying patients records for entering residents' vital signs with false numbers in lieu of taking actual vital signs.
 - (k) Investigator sent contact letter to licensee and there has been no response.
5. This Licensee violate the Nurse Practice Act by unprofessional conduct by gross negligence in practicing nursing, inaccurately recording and failure to take appropriate action.

CONCLUSIONS OF LAW

- a. K.S.A. 65 1120(a)(1) unprofessional conduct by fraud or deceit in practicing nursing.
- b. K.S.A. 65-1120(a)(6), unprofessional conduct, by inaccurately recording, falsifying or altering documents.
- 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).
- d.: K.S.A. 65-1120(a)(4) unable to practice with skill and safety due to current abuse of drugs or alcohol.
- e. K.S.A. 65-1120(a)(6), unprofessional conduct, by drug diversion K.A.R. 60-3-110(n) in past conduct;

f. K.S.A. 65-1120 (6) to be guilty of unprofessional conduct as defined in subsection (e) (2) one or more instance involving failure to adhere to the applicable standard of care to a degree which constitutes ordinary negligence, as determined by the Board.

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)(1) unprofessional conduct by fraud or deceit in practicing nursing.

Count 2: K.S.A. 65-1120(a)(6), unprofessional conduct, by inaccurately recording, falsifying or altering documents.

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).

Count 4: K.S.A. 65-1120(a)(4) unable to practice with skill and safety due to current abuse of drugs or alcohol.

Count 5: K.S.A. 65-1120(a)(6), unprofessional conduct, by drug diversion K.A.R. 60-3-110(n) in past conduct;

f. K.S.A. 65-1120 (6) to be guilty of unprofessional conduct as defined in subsection (e) (2) one or more instance involving failure to adhere to the applicable standard of care to a degree which constitutes ordinary negligence, as determined by the Board.

K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the summary proceedings do not violated 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. Diversion of drugs from two employers is clearly a danger to the patients under nurse care.
2. Failure to provide adequate care to patients poses additional danger to the public at large and a violation of the public trust

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 7th day of January, 2014, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Laura Ann Bradbury
4411 Gretchen Court
Lawrence, Kansas 66047


Michael R. Fitzgibbons, #12287
Assistant Attorney General