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OCT 28 2006

KSDN

KANSAS STATE BOARD OF NURSING  
MARY BLUBAUGH MSN, RN, EXECUTIVE ADMINISTRATOR

KATHLEEN SEBELIUS, GOVERNOR

October 23<sup>rd</sup>, 2006

Tonya D. Shore  
15 Meadows Phase III  
Woodward, OK 73801

Case No. 06-559-0  
License No. 14-088340-112

**SUMMARY ORDER**

Dear Ms. Shore:

The Disciplinary Committee of the Kansas State Board of Nursing (KSBN) has reviewed your application materials. It is the decision of the Board that your reinstatement application to practice nursing as a registered nurse in Kansas is denied. This denial is based upon the following:

**FINDINGS OF FACT**

1. On or about 11/30/2002 Applicant allowed her license to practice nursing in the State of Kansas to Lapse.

On or about 5/26/2005 the Oklahoma Board of Nursing entered an Order of Suspension which suspended the Applicant's Oklahoma nursing license for a period of six months. The Oklahoma Board of nursing found that on 5/26/2004 the applicant entered into a Stipulation, Settlement and Order which required Applicant to complete educational courses, submit to periodic body fluid testing, remain free of alcohol and unprescribed drugs, monthly self-assessment reports, submission of monthly counselor reports, and Applicant's Oklahoma license was reprimanded.

On or about 9/22/2004 the Oklahoma Board of Nursing entered an Order which placed the Applicant's Oklahoma license in cease practice status pending readiness to return to work as identified by a physician's statement and counselor statements. The terms and conditions of Applicant's Stipulation, Settlement and Order entered 5/26/2004 were extended six months. The 9/22/2004 Order was the result of Applicant not following body fluid testing guidelines.

The Oklahoma Board further found that Applicant violated the cease practice order by working as a registered nurse at Harper County Community Hospital in Buffalo, Oklahoma, from 1/21/2005 through 3/22/2005.

On or about 7/27/2006 Applicant submitted an application to the KSBN for reinstatement of her license to practice nursing in the state of Kansas.

**CONCLUSIONS OF LAW**

LANDON STATE OFFICE BUILDING, 900 SW JACKSON ST., STE 1051, TOPEKA, KS 66612-1230

Voice 785-296-4929 Fax 785-296-3929 www.ksbn.org

2. 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 this act or may publicly or privately censure a licensee or holder of a certificate of qualification or authorization, if the applicant, licensee or holder of a certificate of qualification or authorization is found to have violated the Nurse Practice Act. The above fact findings establish evidence that the applicant violated the following provisions of the Nurse Practice Act:

(a) K.S.A. 65-1120(a)(8), to have a license to practice nursing as a registered nurse or as a practical nurse denied, revoked, limited or suspended, or to be publicly or privately censured, by a licensing authority of another state, agency, or territory.

3. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency when denying an application in whole or in part.

4. Your conduct described herein violates the Kansas Nurse Practice Act.

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

6. If you wish to dispute this matter, contact the Board immediately by following the procedure for requesting a hearing. A copy of your application will be sent to you upon request.

7. 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 above, this Summary Order becomes effective and final upon the expiration of the time for requesting a hearing.

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Tamara Hutchison, R.N., B.S.N.  
Member, Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 23<sup>rd</sup> day of October, 2006, the foregoing copy of the Summary Order was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Tonya D. Shore  
15 Meadows Phase III  
Woodward, OK 73801



Mark A. Knight, #12183  
Assistant Attorney General