

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**FILED**

APR 5 2007

**KSBN**

IN THE MATTER OF  
TAMMY L. WEBSTER  
License No. 14-089175-121

Case No. 04-025-8  
OAH No. 06BN0003

**AGREED ORDER DENYING REINSTATEMENT**

NOW ON THIS 4<sup>th</sup> day of April, 2007, the Kansas State Board

of Nursing, represented by Assistant Attorney General, Mark A. Knight, and the Respondent, Tammy L. Webster, represented by Joseph P. Huerter, hereby enter into this agreement and proffer evidence and the hearing officer adopts those recommendations and makes the following findings of fact and orders:

**AGREED FINDINGS OF FACT**

1. Respondent's license to practice nursing in Kansas lapsed. Respondent submitted a reinstatement application. A summary denial of respondent's license to practice nursing in Kansas was entered. The respondent submitted a timely appeal. The Board has jurisdiction over the respondent and the subject matter of this action.
2. Respondent's address of record is 2718 West Redbud Drive, Loveland, CO 80538.
3. 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.
4. The Board has requested that a petition be filed to deny reinstatement of respondent's license.
5. The Respondent has requested to withdraw her application as she no longer resides or works in Kansas.

5. Following a petition being filed by the Board, a hearing would also be held at a later date at which time the Board would have to prove that Respondent violated K.S.A. 65-1120(a).

6. Respondent has the right to these hearings and the right to seek review of the findings from the hearings in accordance with the Kansas Administrative Procedure Act and the Act for Judicial Review and Civil Enforcement of agency actions. Respondent is waiving those rights and knowingly and voluntarily entering into this agreement instead of proceeding to these hearings. This agreement will conclude Board action pending at this time against Respondent's license.

7. Respondent understands that pursuant to K.S.A. 77-515, Respondent may be represented at Respondent's expense by, an attorney during these proceedings.

8. (a) The respondent's license to practice nursing in Kansas lapsed on 12/31/2003.

(b) When the respondent submitted her application to the Board office she stated that she was an "acupuncture physician". She continued to present herself with this title to numerous acupuncture clients and friends.

(c) On or about November and December of 2003, while licensed in Kansas as a nurse the respondent practiced acupuncture at a Parkinson's seminar. She was presented as "Dr. Kali Oxford, BSN". The respondent was a speaker at a Parkinson's support group meeting. The flyers for the meeting referred to the respondent as Dr. Kali Oxford.

(d) On 6/2/2004 the Kansas State Board of Healing Arts filed a Journal Entry of Consent Judgment in Shawnee County District Court, Case No 04-768 in which the respondent agreed to cease from engaging in the practice of acupuncture in the state of Kansas. A copy of that Consent Judgment is attached hereto, and incorporated by reference.

(f) From July of 2003 to December 2003 the respondent identified herself as Kali Oxford, RN. This is not the name under which the respondent was licensed in Kansas as an RN. The respondent has advised that she has used this name in an effort to avoid being located by an abusive ex-husband, but acknowledges that she had not legally changed her name and this was not the name under which she was licensed in Kansas.

**CONCLUSIONS OF LAW**

9. 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.

10. Respondent has violated the Kansas Nurse Practice Act as follows:

(a) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (a) Performing acts beyond the authorized scope of the level of nursing for which the individual is licensed.

(b) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (u), engaging in nursing practice while using a false or assumed name.

**POLICY STATEMENT**

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

**DISPOSITION**

12. Respondent's application for reinstatement of her license to practice nursing in Kansas is Denied.

13. Upon signing this agreement and returning it to the Board, Respondent shall return Respondent's license card with the agreement. Respondent shall not practice nursing in Kansas unless properly licensed to do so.

14. The Board will report this denial of reinstatement to data banks, other entities, and in its newsletter. This is a disciplinary action on Respondent's license. The original of this document shall be kept in the Board's agency file and its contents may be disclosed to the public upon request.

15. If Respondent does seek reinstatement of Respondent's license, the agreed facts are admitted, Respondent has waived the right to a hearing on the facts in this matter, however to receive a reinstatement of Respondent's license the Respondent will have the opportunity at that time to prove Respondent's fitness to practice nursing in Kansas.

16. The hearing/presiding officer whose signature appears below has been designated pursuant to K.S.A. 77-514 and K.S.A. 77-526 to act on behalf of the Board/agency head and to hear discipline cases on behalf of the Board/agency head and to render either initial orders or final orders, if by agreement of both parties, in those discipline cases.

17. By their signatures, the parties hereby acknowledge this agreement.

IN WITNESS WHEREOF, the parties hereto execute this AGREED ORDER DENYING REINSTATEMENT.

IT IS SO ORDERED.

Tammy L. Webster must sign before a Notary Public.

Tammy L. Webster, Licensee  
2718 West Redbud Dr.  
Loveland, CO 80538

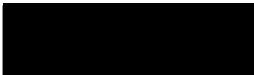
State of Kansas, County of Shawnee ss.  
SUBSCRIBED AND SWORN TO before, me by Tammy L. Webster  
on this 3<sup>rd</sup> day of April, 2007.  
My Commission Expires

\_\_\_\_\_  
Signature of Notary Public

(Notary Public Seal)  
**Notary Public**  
**Jessica M. Kaberline**  
State of Kansas  
My Appt Expires 3-30-10

~~Joseph P. Huerter, #11912~~  
Counsel for Licensee  
1610 SW Topeka  
Topeka, KS 66612

~~Mark A. Knight, #12183~~  
Assistant Attorney General  
Landon State Office Building  
900 SW Jackson #1051  
Topeka, KS 66612-1230

  
Sandra L. Sharon, Presiding Officer

CERTIFICATE OF SERVICE

On the 5<sup>th</sup> day of April, 2007, I mailed a copy of this  
AGREED ORDER DENYING REINSTATEMENT to:

Tammy L. Webster  
2718 West Redbud Dr.  
Loveland, CO. 80538

Joseph P. Huerter, #11912  
Counsel for Licensee  
1610 SW Topeka  
Topeka, KS 66612

~~Mark A. Knight, #12183~~  
Assistant Attorney General