

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

KATHLEEN SEBELIUS, GOVERNOR

February 28, 2006

Tracey S. Mossett
5209 W. 160th
Stilwell, KS 66085

Case No. 05-800-7
License No. 14-092550-071

SUMMARY ORDER

Dear Ms. Mossett:

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 license to practice nursing as a registered nurse (RN) in Kansas is revoked. This revocation is based upon the following:

FINDINGS OF FACT

1. (a) On or about August 18, 2003 Applicant applied for endorsement in Kansas. On or about December 17, 2003 Applicant was licensed as an RN in the state of Kansas.
- (b) Applicant submitted an online application for a renewal of her RN license received by the Board on or about July 19, 2005.
- (c) Applicant provided in the application for renewal that she endorsed less than nine months ago/first renewal after exam. This allowed Licensee to renew her license without the required Continuing Nursing Education (CNE) certificates.
- (d) December 17, 2003 is more than nine months prior to July 19, 2005.
- (e) On or about July 19, 2005 is the date that Applicant's license would have lapsed had she not provided in the application that she endorsed less than nine months ago/first renewal after exam.
- (f) On or about July 22, 2005 Applicant was notified that she was the subject of a random CNE Audit. Applicant was required to send copies of her CNE certificates for the renewal period listed in her application.
- (g) Applicant submitted CNE certificates that are dated prior to the renewal period listed in her renewal application of July 19, 2005.
- (f) On or about September 7, 2005 Applicant was notified that the CNE certificates she submitted were too old to be valid for the renewal period in question, August 1, 2003 through September 30, 2005.

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

(g) As of February 13, 2006, Applicant has not submitted valid CNE certificates for the renewal period of August 1, 2003 through September 30, 2005.

CONCLUSIONS OF LAW

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)(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 by K.A.R. 60-3-110 (b), K.S.A. 65-1117 and K.A.R. 60-9-106, assuming duties and responsibilities within the practice of nursing without making or obtaining adequate preparation or maintaining competency by failing to submit proof of completion of 30 contact hours of approved Continuing Nursing Education.

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.

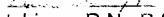
4. Your conduct described herein violates the Kansas Nurse Practice Act.

5. 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.

6. 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.


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

CERTIFICATE OF SERVICE

I certify that on the 28th day of February, 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:

Tracey S. Mossett
5209 W. 160th
Stilwell, KS 66085


Mark A. Knight, #12183
Assistant Attorney General