

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**FILED**

**IN THE MATTER OF  
SCOTT L. VANTINE  
License No. 14-100823-081**

**NOV 25 2008**

**KSNB**

Case No. 06-877-0, 08-524-0, 08-752-0

**PROPOSED DEFAULT ORDER TO REVOKE LICENSE**

NOW ON THIS 25<sup>th</sup> day of November, 2008, petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Alma A. Heckler, for a Hearing on the Petition.


Respondent does not appear.

Wherefore, the Presiding Officer finds as follows:

1. Respondent is licensed to practice nursing in Kansas through 8/31/2009. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
2. Petitioner sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper.
3. Petitioner moves for issuance of a proposed default order revoking respondent's license. The petitioner's request is granted by default.
4. The petition is hereby granted and incorporated into this order as if set forth herein. Respondent violated the Nurse Practice Act as alleged in the petition.
5. Per petitioner's request, respondent's license to practice nursing is revoked. Respondent may not practice nursing in Kansas.
6. Costs of the action of \$70 are assessed to respondent to be paid to the board by cash or money order within 30 days of the effective date of this order.
7. Respondent shall immediately forward his or her original Kansas registered nurse license to the Kansas State Board of Nursing.

8. Disciplinary counsel shall mail a copy of this proposed default order to respondent's last known address.


**IT IS SO ORDERED.**

  
Sandra L. Sharon, Presiding Officer

**NOTICE**

This is a proposed default order pursuant to K.S.A. 77-520. This order becomes effective if respondent does not file a written motion requesting that this order be vacated with the board within seven days after the day this order is mailed. If a motion is timely filed, then a hearing will be set and notice given to respondent to appear. Another order will then be issued either vacating or affirming this order. The written motion is to be filed at:

State Board of Nursing - Legal Division  
Landon State Office Building  
900 SW Jackson, Ste 1051  
Topeka, KS 66612-1230

  
Alma A. Heckler, #11555  
Disciplinary Counsel  
Kansas State Board of Nursing  
900 S.W. Jackson, Suite #1051  
Topeka, KS 66612-1230  
785-296-4325

**CERTIFICATE OF SERVICE**

I certify that on the 25<sup>th</sup> day of November, 2008, the foregoing copy of the Proposed Default Order Revoking License was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Scott L. Vantine  
432 NW 81st Street  
Kansas City, MO 64118

  
Alma A. Heckler  
Assistant Attorney General

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**IN THE MATTER OF**  
**SCOTT L. VANTINE**  
License No. 14-100823-081

Case No. 06-877-0, 08-524-0, 08-752-0

**PETITION**

COMES NOW the petitioner, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Alma A. Heckler, and for its cause of action states that:

1. Respondent is licensed to practice nursing in Kansas through 8/31/2009. The Board has jurisdiction over the respondent and the subject matter of this action.
2. Respondent's address of record is 432 NW 81st Street, Kansas City, MO 64118.
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. 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.

**FACTS COMMON TO ALL COUNTS**

5. The facts below are common to all counts:

(a) In Kansas State Board of Nursing (KSBN) Case No. 06-877-0, the Board approved the Respondent's application to endorse after a review of the pending Missouri Board of Nursing (MBON) investigation. The Respondent reported a pending MBON investigation into an

allegation that the Respondent had diverted drugs from St. Luke Hospital in Kansas City, Missouri. The Respondent admitted to diversion of fentanyl. [REDACTED]

[REDACTED] The Kansas Board agreed to license Respondent in Kansas as long as he participated in the Kansas Nurse Assistance Program (KNAP). [REDACTED]

(b) In KSBN Case No. 08-524-0 the Kansas Board received documentation of the Respondent's discipline in Missouri and he was placed on probation by Missouri to run concurrently with his agreement with KNAP. The documentation from MBON showed that the Respondent's diversion of fentanyl from St. Luke's Hospital had been extensive. The Respondent had several positive UDS while under supervision by KNAP. On or about 8/10/07 Respondent tested positive for oxycodone; on 9/14/07 his creatinine level was less than normal; on 10/01/07 her was positive for oxycodone; on 10/18/07 he was positive for oxycodone; on 02/20/08 his creatinine level was less than normal; on 3/25/08 he was positive for oxycodone; and on 4/29/08 he was positive for oxycodone and cannabinoids.

(c) In KSBN Case No. 08-752-0, the Kansas Board received notice that the Respondent was terminated from his employment at Centerpoint Medical Center in Independence, Missouri on 7/10/08. Respondent admitted that he used fentanyl after a nurse left a vial out and forgot to waste it. He stated he used a second time and removed vials from a Sharp Box. He also admitted to using marijuana during his mother's illness. Board also received notice of the Respondent's most recent drug and alcohol evaluation and his prognosis for recovery is guarded. The Respondent had two positive UDS for Oxycodone and Propoxyphene and oxymorphone. Respondent was prescribed Lyrica and Darvocet at the time of the UDS collection. On 7/11/08, [REDACTED] report he had relapsed and diverted fentanyl from work and smoked Cannabis after he was terminated from his job at Centerpoint

Medical Center. On 7/16/08, the Respondent also reported he had used marijuana over the weekend after his termination.

### VIOLATIONS

6. Count 1: K.S.A. 65-1120(a)(3), Professional Incompetency by K.S.A. 65-1120(e)(3), a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing.

Count 2: K.S.A. 65-1120(a)(4), to be unable to practice with skill and safety due to current abuse of drugs or alcohol.

Count 3: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(n), diverting drugs, supplies, or property of any patient or agency.

Count 4: 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 of the United States government, territory of the United States or country or to have other disciplinary action taken against the applicant or licensee by a licensing authority of another state, agency of the United States government, territory of the United States or country.

Count 5: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(s), failing to complete the requirements of the impaired provider program of the board.

Count 6: K.S.A. 65-1120(a)(7), to have willfully or repeatedly violated the provisions of the Kansas nurse practice act or any rules and regulations adopted pursuant to that act.

WHEREFORE, petitioner requests a finding that the respondent has violated the Nurse Practice Act, that respondent's license to practice nursing in Kansas be revoked, and that costs of this action be assessed to the respondent in the amount of \$70.00.

Respectfully submitted,

Stephen N. Six  
Kansas Attorney General

By:

  
Alma A. Heckler, #11555  
Assistant Attorney General