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**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

FILED

AUG 26 2011

KSBN

IN THE MATTER OF  
DONISE E. WOODS  
LICENSE NO. 14-103422-022

CASE NO. 10-1307-6

CONSENT AGREEMENT TO SURRENDER AND REVOKE LICENSE AND FINAL ORDER

NOW ON THIS 5<sup>th</sup> day of Aug., 2011, the Kansas State Board of Nursing, represented by Assistant Attorney General, Danielle R. Sanger, and the Respondent, Donise E. Woods, 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

The hearing officer makes the following findings of fact based on the evidence presented and statements of the parties.

1. Respondent is licensed to practice nursing in Kansas through 02/29/2012. The Kansas State Board of Nursing (Board) has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent's address of record is 704 W 8th St., Pittsburg KS 66762. Respondent has not changed her address of record but has indicated that mail should be sent to: 140 Tobi Street, Weatherford OK 73096.
3. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 *et seq.* to examine, license and renew licenses 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 disciplinary action be taken against the Respondent's license.

5. If a petition was 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 Kansas Judicial Review Act. 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. On or about 9/15/2010, the Board received a report regarding Respondent, alleging that in August 2010, while employed at Medicalodge of Pittsburg Kansas, Respondent failed to provide appropriate nursing care to a resident, J.P.
9. In a statement dated 9/8/2010, Brenda York, C.N.A., stated that on 8/31/2010, Respondent, while cleaning the wound of patient J.P., "wiped the bottom of the wound and said (I don't have time for this) and pushed a 4x4 with cream on it into the wound while leaving feces still in the wound and left. Me and co-worker went back into resident's room to look at the wound there was feces dripping out the bottom of the bandage. Other staff took a towel and clean the bottom of it."
10. In a statement dated 9/9/2010, Stephanie Fisher, C.N.A., stated that on 8/31/2010 she went to patient J.P.'s room and "rolled the resident over and there was indeed fecal matter seeping out from the new dressing."
11. In a statement dated 9/2/2010, Respondent stated: "I still didn't have an NS solution in the room but there was a stack of wet disposable wash clothes. I picked one up & cleansed as best I could the BM out of the wound."

12. In a statement dated 9/2/2010, Respondent also stated: "I feel that my only other option to clean out the wound better would have been to give him a shower at the time; which was not feasible with the few staff available and activity on the floor."
13. In the patient J.P.'s chart, on 8/27/2010, the physician ordered, "Coccyx: Cleanse area with NS or wound cleanser, pat dry. Apply skin prep to periwound. Apply Santyl paying special attention to the deeper areas. Lightly pack with CA+ Alginate. Cover with non-bordered foam dressing secure with paper tape. BID & PRN until area is closed."
14. The Medicalodge "Sterile Dressings" policy and procedure states, "The following equipment and supplies will be necessary when performing this procedure. 1. Sterile dressing tray; 2. Cleaning Solution as ordered; ..."
15. On or about 8/8/2011, by phone, Respondent disputed the facts of the case as presented by the C.N.A's; however, Respondent stated that she wanted to surrender her license.

#### **CONCLUSIONS OF LAW**

1. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 *et seq.* to examine, license and renew licenses 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.
2. Respondent has violated the Kansas Nurse Practice Act as follows:
  - a. K.S.A. 65-1120(a)(6): to be guilty of unprofessional conduct as defined by rules and regulations of the board, by KAR 60-3-110(c), failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.

#### **POLICY STATEMENT**

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

**DISPOSITION**

1. Respondent is surrendering Respondent's license to practice nursing in Kansas.
2. Upon signing this agreement and returning it to the Board, Respondent shall not practice nursing in Kansas.
3. The Board will report this surrender and revocation to national data banks 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.
4. Respondent acknowledges that this agreement is an open record pursuant to the Kansas Open Records Act, K.S.A 45-215 *et seq.*, and may be published or disseminated pursuant to a request.
5. If Respondent does seek reinstatement of Respondent's license, the agreed facts are admitted, and 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.
6. 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.
7. By their signatures, the parties hereby acknowledge this agreement.

IN WITNESS WHEREOF, the parties hereto execute this CONSENT AGREEMENT TO SURRENDER AND REVOKE LICENSE AND FINAL ORDER.

**IT IS SO ORDERED.**

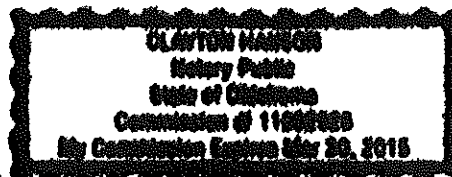
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Donise Woods  
Respondent  
140 Tobi Street  
Weatherford OK 73096

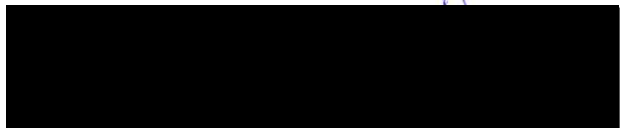
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*8/19/11*

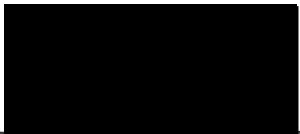
Donise Woods must sign in front of a notary public.



*Commission Expires  
March 30, 2015  
County of Carter  
State of Oklahoma*



Danielle R. Sanger, #24587  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson #1051  
Topeka, KS 66612

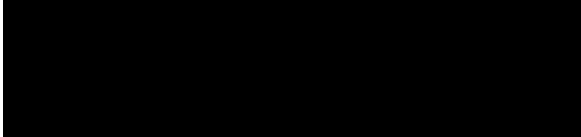


Sandra Sharon, Presiding Officer

CERTIFICATE OF SERVICE

On the 30<sup>th</sup> day of August, 2011, I certify that I mailed a true copy of this  
CONSENT AGREEMENT TO SURRENDER AND REVOKE LICENSE AND FINAL ORDER to:

Donise Woods  
140 Tobi Street  
Weatherford OK 73096



Danielle R. Sanger, #24587  
Assistant Attorney General