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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

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IN THE MATTER OF MICHELLE RENEE GUNN

License No. 14-106051-121

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Case No. 12-1248-0

ADDENDUM TO INITIAL ORDER

NOW ON THIS 25th day of August, 2015, the Kansas State Board of Nursing, represented by Assistant Attorney General, Michael R. Fitzgibbons, and the Licensee, hereby enter into this Addendum to the Initial Order dated 26th March 2014.

BACKGROUND AND PURPOSE

- a. This licensee stipulates to the following facts:
- b. It is alleged that licensee was convicted of a reportable misdemeanor offense in Jackson County Circuit Court in Kansas City, Missouri.
- c. Licensee was convicted of DWI/alcohol in case 09CR04913.
- d. On or about the 9th day of July, 2012, Respondent's RN license in Missouri was place on probation due to licensee's conviction history.
- e. On or about the 4th day of September, 2012. Licensee surrendered her license to practice nursing in Missouri.
- f. Respondent's Drivers License was suspended in December, 2004. Revoked in January, 2007, Revoked in February, 2009, suspended in June 2010, again in August 2010 and revoked in February 2011.
- g. Licensee failed to document/report by answering "no" to the question has any license, certification or registration (nursing or other) ever been revoked, suspended or limited or disciplinary action taken by a licensing authority of any state, agency of the US government, territory of the US or country.
- h. This incident allegedly occurred on or about 29th day of November, 2011.

- i. Respondent was contacted on the 20th day of September, 2013, and Respondent was referred to KNAP for a chemical dependency evaluation with subsequent monitoring, if recommended.
- j. Respondent's KNAP case was closed on the 2nd day of November, 2013 for non compliance.
- k. On the 26th day of March, 2014, licensee entered into a Initial Agreed Order where licensee would return to the KNAP program and stay compliant.
- l. On the 19th day of June, 2014, the KNAP case was closed as uncooperative. A KNAP agreement packet was sent on the 3rd day of June, 2014 with no response.
- m. On the 26th day of June, 2014, KSBN received a phone call from licensee stating that there was a mix up and that she would go to KNAP.
- n. On the 1st day of July, 2014, licensee was re referred to KNAP by KSBN pursuant to the Agreed Initial Order signed by the parties.
- o. KNAP contacted licensee on the 14th day of July, 2014 reminding her of the KNAP Agreement which needed to be returned that day.
- p. Licensee was rude and disrespectful, talking over and interruptive.
- q. Licensee hung up on KNAP prior to conversation ending.
- r. Licensee was warned that should she continue to be non cooperative, her KNAP case would again be closed.
- s. On the 12th day of August, 2014, it was reported to KNAP by Affinity of licensee's unprofessional behavior on a phone call.
- t. On the 25th day of September, 2014, licensee's KNAP case was closed due to non compliance. Licensee failed to provide a urine drug screen on the date randomly selected.
- u. Licensee is in violation of her Initial Agreed Order with KSBN for failure to stay compliant with the KNAP program.

v. Licensee agrees to return to KNAP and stay compliant with that program.

2 The parties agree that this Addendum is made part of, and incorporated into the Initial Order 26th day of March, 2015. The parties further agree that this Addendum and the Initial Order together, constitute the Initial Order.

3 Licensee has the right to 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. Licensee is waiving those rights and knowingly and voluntarily entering into this agreement instead of proceeding to these hearings.

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

5 Licensee is licensed to practice nursing as a nurse in Kansas through July 2014. The Kansas State Board of Nursing has jurisdiction over the Licensee and the subject matter of this action. Licensee has to this point, adhered to the requirements and conditions of the Consent Agreement and Final Order.

6 Based upon this agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that licensee will re enter KNAP and stay compliant.

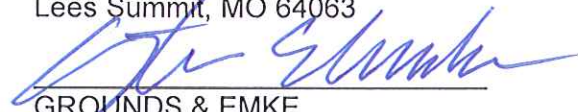
7. The hearing/presiding officer whose signature appears below has been designated pursuant to K.S.A. 77-514 and K.S.A. 77-526 to act on behalf of the Board/agency head and to hear discipline cases on behalf of the Board/agency head and to render either initial orders or final orders, if by agreement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

IN WITNESS WHEREOF, the parties hereto execute this Initial Order.

IT IS SO ORDERED.



Respondent
Michelle Renee Gunn
2625 SE 5th Street
Lees Summit, MO 64063



GROUNDS & EMKE
Steve E. Emke
922 Oak Street
Kansas City, Missouri 64106-2602
Attorneys for Respondent



Michael R. Fitzgibbons #12287
Assistant Attorney General
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Topeka, KS 66612



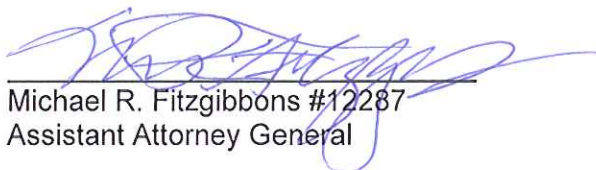
Sandra L. Sharon, Presiding Officer
Office of Administrative Hearings

CERTIFICATE OF SERVICE

On the 26th day of August, 2015, I mailed a copy of this ADDENDUM TO
INITIAL ORDER to:

Michelle Renee Gunn
2625 SE 5th Street
Lees Summit, MO 64063

GROUNDS & EMKE
Steve E. Emke
922 Oak Street
Kansas City, Missouri 64106-2602


Michael R. Fitzgibbons #12287
Assistant Attorney General