

BEFORE THE KANSAS STATE BOARD OF NURSING

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

**IN THE MATTER OF
Chantal M. Umutoni**

**License No. 14-123016-021
Case No. 15-037-7**

SUMMARY ORDER

The above matter comes before the Kansas State Board of Nursing (Board) pursuant to authority granted to the Board by K.S.A. 65-1120. The Board hereby proposes to find facts and take disciplinary action against the nurse license of Chantal Umutoni, (Licensee) by way of Summary Order as provided by K.S.A. 77-537.

1. a. Licensee is licensed to practice nursing in the state of Kansas. The Board has jurisdiction over the Licensee and the subject matter of this action.

b. Licensee's address of record is 11846 W. 112th Terrace, Overland Park KS 66210.

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

3. 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. Pursuant to K.S.A. 74-1110 the Kansas State Board of Nursing may also assess a civil fine not to exceed \$1,000.00 for the first violation of a law or rule and regulation applicable to the practice for which such person has been granted a license.

4. After an investigation, the Board's investigative committee found reasonable grounds to believe that the Applicant violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.

5. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency if the use of summary proceedings does not violate any provision of law, the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties, and the state agency believes in good faith, after investigation of the facts, that the allegations will be supported to the applicable standard of proof.

FINDINGS OF FACT

6. (a) Licensee entered into a Diversion Agreement with the Kansas State Board of Nursing

on or about February 18, 2015. Among the provisions of that agreement was that the licensee was to complete and provide documentation of 30 hours of CNE within ninety days.

(b) Licensee did not provide the CNE within ninety days. She was given written notices on November 5, 2015, and March 2, 2016, that the CNE documentation had not been provided.

(c) On June 2, 2016 the licensee provided documentation of CNE from an unaccredited CNE provider.

(d) The Diversion Agreement provides that the licensee stipulated to violating "K.S.A 65-1120(a)(7) wilfully violating any of the provisions of the Kansas Nurse Practice Act and K.S.A. 65-1117(A) and K.A.R. 60-9-106 every licensee with an active nursing license shall submit with the renewal application evidence of satisfactory completion of a program of CNE as required by the Board which is 30 hours of CNE obtained within the prior licensing period," and K.S.A. 65-1120(a)(6), unprofessional conduct, by inaccurately recording, falsifying or altering documents."

(e) The Diversion Agreement provides that upon proof of a breach of the terms of the agreement that the licensee cannot contest the violations of the Kansas Nurse Practice Act.


VIOLATIONS

7. The above fact findings establish evidence that the Licensee is in breach of the Diversion Agreement, and she has violated the Kansas Nurse Practice Act as stated in 6(d) above.

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT

- 1. Licensee's license is suspended until such time as she provides documentation of 30 hours of CNE from an accredited CNE provider.**
- 2. Costs of \$100 are assessed to the licensee, and the same is ordered paid within 30 days.**
- 3. A civil fine of \$250.00 is assessed to the licensee, and the same is ordered paid within 30 days.**

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, this Summary Order becomes effective as a final order, without further notice, upon the expiration of the time for requesting a hearing. If a hearing is requested, the prior issuance of a summary order shall not affect the burden of proof. Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.

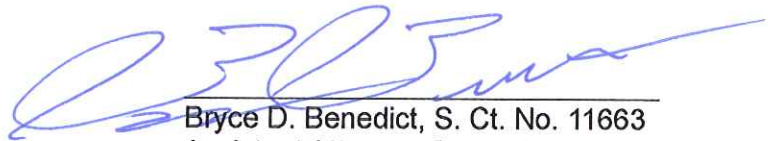


Judith Hiner, RN, BSN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 20th day of September, 2016, 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:

Chantal Marie Umutoni
11846 W. 112th Terrace
Overland Park KS 66210



Bryce D. Benedict, S. Ct. No. 11663
Assistant Attorney General