

BEFORE THE KANSAS STATE BOARD OF NURSING

FILED

MAR 03 2017

IN THE MATTER OF  
KATHRYN RUTH RIDDLE  
License No. 14-123730-071

Case No. 14-1423-0  
OAH No. 15BN0123

KSBN

**INITIAL ORDER**

Now on this 8th day of February 2017, the above-captioned matter comes on for hearing before the Kansas State Board of Nursing (Board/Petitioner) pursuant to K.S.A. 77-536. Sandra L. Sharon was duly appointed Presiding Officer/Administrative Law Judge pursuant to K.S.A. 77-514. The Petitioner, the Kansas State Board of Nursing, appears by Assistant Attorney General Bryce Benedict, Disciplinary Counsel for the Board. The respondent, Kathryn Ruth Riddle, appears *pro se*.

Findings of Fact

1. The appellant is licensed to practice nursing in the State of Missouri. On or about June 9, 2014, the respondent entered into a Settlement Agreement with the Missouri State Board of Nursing wherein she was placed on probation for three (3) years.
2. The material or significant part of the Settlement Agreement is that the respondent stipulated to certain facts outlined in the agreement. Summarizing the facts contained within the Settlement Agreement, (Board's exhibit 1) between December 1, 2012 and January 28, 2013, the respondent committed charting errors involving narcotics and/or controlled substances thirty-six (36) times.
3. The respondent failed to report this disciplinary action taken by the Missouri Board of Nursing to the Kansas State Board of Nursing.

Applicable Law

1. On violation of the Kansas Nurse Practice Act, the Board has the authority to deny, revoke, limit, or suspend any license to practice nursing in the State of Kansas or any application for a license to practice nursing. K.S.A. 65-1120(a).
2. It is a violation of the Kansas Nurse Practice Act to be guilty of unprofessional conduct by failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient. K.S.A. 65-1120(a)(6) and K.A.R. 60-3-110(c).
3. It is a violation of the Kansas Nurse Practice Act to be guilty of unprofessional conduct by inaccurately recording, falsifying, or altering any record of a patient or agency or of the board. K.S.A. 65-1120(a)(6) and K.A.R. 60-3-110(d).

4. It is a violation of the Kansas Nurse Practice Act to have a license to practice nursing denied, revoked, limited, or suspended or to be publicly or privately censured by a licensing authority of another state. K.S.A. 65-1120(a)(8).

#### Discussion

1. The Settlement Agreement between the respondent and the Missouri State Board of Nursing is clear and the respondent's signature is affixed thereto.
2. The respondent does not dispute the allegations as set forth in the Board's Petition.
3. The respondent has violated the Kansas Nurse Practice Act by of unprofessional conduct by failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient. K.S.A. 65-1120(a)(6) and K.A.R. 60-3-110(c).
4. The respondent has violated the Kansas Nurse Practice Act by inaccurately recording, falsifying, or altering any record of a patient or agency or of the board. K.S.A. 65-1120(a)(6) and K.A.R. 60-3-110(d).
5. The respondent has violated the Kansas Nurse Practice Act by having a license to practice nursing denied, revoked, limited, or suspended or to be publicly or privately censured by a licensing authority of another state. K.S.A. 65-1120(a)(8).

#### Conclusion

The petition of the Board to revoke the respondent's license to practice nursing in the State of Kansas is granted.

Cost of this action shall be assessed against the respondent in the amount of \$100.00 pursuant to K.S.A. 65-1120(d).

#### Appeal Rights and Other Administrative Relief

Pursuant to K.S.A. 77-527, either party may request a review of this initial order by filing a petition for review with the Kansas State Board of Nursing. A petition for review must be filed within 15 days from the date this initial order was served. Failure to timely request a review by the Kansas State Board of Nursing may preclude further judicial review. The petition for review shall be mailed or personally delivered to: Mary Blubaugh, Executive Director, Board of Nursing, Landon State Office Building, 900 SW Jackson, Suite 1051, Topeka, KS 66612-1230.

Pursuant to K.S.A. 77-531, if the initial order is served by mail, three days are added to the time limits set out above.

Pursuant to K.S.A. 77-530, if a request for review is not made in the time and manner stated above, this initial order shall become effective as a final order 30 days after service.



Sandra L. Sharon  
Administrative Law Judge/Presiding Officer  
Office of Administrative Hearings  
1020 S. Kansas Ave.  
Topeka, KS 66612  
Telephone: 785-296-2433

CERTIFICATE OF SERVICE

On March 3, 2017, I mailed this original document through State Building  
Mail to:


Mary Blubaugh  
Executive Administrator  
Kansas State Board of Nursing  
900 SW Jackson, LSOB, Ste. 1051  
Topeka, KS 66612  
Telephone: 785-296-4325

and a copy of this document has been served with each of the following persons by mail to:

Kathryn Ruth Riddle  
10 Saint Paul Street  
Chillicothe, MO 64601

and that the foregoing has been served electronically via the OAH's e-filing system to:

Bryce Benedict  
Assistant Attorney General  
Disciplinary Counsel for the Kansas State Board of Nursing  
900 SW Jackson, LSOB, Ste. 1051  
Topeka, KS 66612  
Telephone: 785-296-2512

  
\_\_\_\_\_  
Staff Person  
Office of Administrative Hearings

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**IN THE MATTER OF KATHRYN RUTH RIDDLE**

**License No. 14-123730-071**

**Case No. 14-1423-0**

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**PETITION**

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

1. Licensee, Kathryn Ruth Riddle, is licensed to practice nursing in the State of Kansas. The Board has jurisdiction over the respondent and the subject matter of this action.
2. Respondent's address of record is 6901 Fulton Road Apt 1 Pleasant Valley, MO 64068.
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. While employed at North Kansas City Hospital, Kansas City Missouri Blessed Health and Home Care, Licensee was selected for a random narcotic audit.

- b. This audit revealed numerous charting and documentation errors regarding narcotics.
- c. Missouri Board of Nursing entered into a Settlement Agreement with licensee for the above actions.
- d. Licensee was placed on three (3) year probation with terms and conditions.
- e. Licensee was terminated from her employment in February 2013.
- f. According to a report, it is alleged that disciplinary action has been taken on licensee's Missouri license.
- g. Licensee failed to report this disciplinary action to KSBN within 30 days of the event.
- h. This incident allegedly occurred on or about June 9<sup>th</sup>, 2014.

#### VIOLATIONS

6. Respondent has violated the Kansas Nurse Practice Act as follows:

agency;

Count 1: K.S.A. 65 1120(a)(1) unprofessional conduct by fraud or deceit in practicing nursing.

Count 2 K.S.A. 65-1120(a)(6), unprofessional conduct, by inaccurately recording, falsifying or altering documents.


Count 3: 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 ... by a licensing authority of another state.

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,

Derek Schmidt  
Kansas Attorney General

By:



Michael R. Fitzgibbons #12287  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson #1051  
Topeka, KS 66612