

BEFORE THE KANSAS STATE BOARD OF NURSING
Landon State Office Building, Suite 551
Topeka, Kansas 66612-1259
(913) 296-4929

In the Matter of)
)
Caryn Poe-Oyler)
)

Case No. 89-008

INITIAL ORDER

This matter comes before the designated hearing panel of the Kansas State Board of Nursing on an application for reinstatement by Caryn Poe-Oyler, Petitioner. Board members present are: Elsie Flory, L.P.N.; Mary Dunbar, L.M.H.T.; and Doris Underwood, R.N., presiding officer. Mark W. Stafford, Assistant Attorney General, is present as General Counsel for the board.

Petitioner appears in person and without counsel.

Disciplinary Counsel, Steve A. Schwarm, Assistant Attorney General, appears on behalf of the board.

After first being duly sworn, oral testimony is given by Petitioner Caryn Poe-Oyler and her counselor, Peter Willens.

Upon considering the evidence before it, the panel makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. Petitioner Caryn Poe-Oyler was previously licensed as a registered professional nurse in Kansas and in California, and now resides at R.R. 3, Box 175, Lawrence, Kansas.

2. As a result of her addiction to alcohol, petitioner's license to practice as a registered nurse was revoked in Kansas and in California.

3. Since February of 1987, petitioner has received counseling from Peter Willens who has a masters degree in psychology and who is employed by petitioner's church as a counselor.

4. In June of 1987, petitioner relapsed after being sober for several months. This relapse lasted for two or three weeks.

5. Petitioner continues to receive counseling from Peter Willens on an as-needed basis. Mr. Willens believes that petitioner continues to recover.

6. Petitioner testified that she has not had an alcoholic drink since August of 1987. She has not been to alcoholics anonymous for the last six months because of time constraints.

CONCLUSIONS OF LAW

1. A license to practice as a registered professional nurse may be denied or limited if the applicant is habitually intemperate in the use of alcohol.

2. The purpose of the licensing requirement for nurses is to protect the public safety.

3. While petitioner has shown evidence of recovery from her addiction to alcohol, her relapse in 1987 and her termination of attendance at alcoholics anonymous because of time constraints indicate that further support is needed before she is fully recovered to warrant the public trust.


IT IS THEREFORE ORDERED: That petitioner's application for reinstatement be granted with the following limitations:

1. Petitioner continues to received counseling from Mr. Willens, such counseling to be verified by quarterly reports from Mr. Willen.

2. If petitioner subsequently becomes employed in a nursing capacity, her nursing supervisor submit quarterly reports regarding her work performance as it relates to addition to alcohol.

3. Petitioner attends weekly alcoholics anonymous meetings, such attendance being verified through quarterly reports.

These limitations are in effect for a period of twelve months, commencing on the date this order becomes effective. The quarterly reports are to be submitted to the board's practice specialist.



Doris Underwood, R.N.
Presiding Officer

NOTICE REGARDING RELIEF
FROM THIS INITIAL ORDER

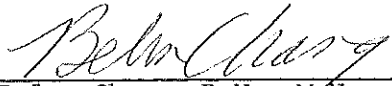
This is an initial order. It becomes a final order without further notice thirty days from the date of service, as indicated in the CERTIFICATE OF SERVICE, unless reviewed by the agency head. The agency head may review this initial order either upon its own motion, or upon a motion by petitioner. To initiate review, a petition for review must be filed with the agency head within 15 days of service of this initial order. Such petition must state a basis for review.

CERTIFICATE OF SERVICE

This certifies that on this 29th day of June,
1989, a copy of the foregoing INITIAL ORDER was served by placing
the same in the United States Mail, first-class postage prepaid,
addressed to:

Carlyn Poe-Oyler
R.R. 3, Box 175
Lawrence, Kansas 66044

Steve A. Schwarm
Assistant Attorney General
Second Floor, Kansas Judicial Center
Topeka, Kansas 66612



Belva Chang, R.N., M.N., J.D.
Practice Specialist
Kansas State Board of Nursing