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Assistant Attorney General
Kansas State Board of Nursing
Landon State Office Building
900 SW Jackson, Suite 551-S
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BEFORE THE KANSAS STATE BOARD OF NURSING
LANDON STATE OFFICE BUILDING
900 S.W. JACKSON, #551-S
TOPEKA, KANSAS 66612-1230
(785) 296-8401

IN THE MATTER)
)
OF) Case No: 97-0466-7
)
DEBORAH RANDOLPH)
LICENSE NO. 14-047740-051)

PROPOSED DEFAULT ORDER

On the 3rd day of February, 1999 the above-captioned matter came on for a hearing before Terry E. Beck, the Board's designated Hearing Officer. The Petitioner appeared by and through Assistant Attorney General Rex G. Beasley Disciplinary Counsel for the Board. The Respondent did not appear.

Whereupon, the Hearing Officer asked the Petitioner if it was ready to proceed. Petitioner's counsel stated that the Board was ready and, pursuant to K.S.A. 77-520, made an oral motion for a default judgment based on the Respondent's failure to appear. In support of the motion, the Petitioner stated and showed the following:

1. Notice of the hearing date and time was duly served upon the Respondent at her last address known to the Board.
2. No request for a continuance was ever made. Respondent did not appear at the hearing.

3. The allegations of the petition are true.

WHEREUPON, the Hearing Officer made the following findings of fact and conclusions of law:

1. Respondent was given proper notice as required by law.
2. Respondent failed to appear and was in default.
3. The allegations in the petition are true.
4. Respondent allowed her Kansas nursing license to lapse. Thereafter Respondent was disciplined in the State of Missouri for diverting i.e. stealing drugs from her employer and/or patients and for other practice errors or omissions . Respondent's license to practice nursing in the State of Missouri was revoked. Respondent's Missouri nursing license was returned to her and then suspended for two years following which she was on probation for three years. A copy of the Respondent's consent agreement with the Missouri State Board of Nursing dated December 12, 1990 is attached to the petition as exhibit A.

5. After completing the Missouri discipline, Respondent applied for reinstatement of her Kansas license. Respondent was granted reinstatement in July 1997.

6. Immediately after the reinstatement of her license in July 1997, Respondent began committing numerous acts in violation of K.S.A. 65-1113, et seq., as follows:

- a. On July 27, 1997 while at work Respondent was exhibiting erratic and inappropriate behavior commonly associated with drug use. Her pupils were pinpoint even in fairly dim light. It was then discovered that Respondent had ostensibly been giving pain medication such as Lortab and Percocet to patients who: had not experienced pain and denied requesting or receiving pain medication; were not her patients; and at inappropriate times not ordered by a doctor.

- b. Respondent recorded falsified patient records to cover up her diversion i.e. theft of narcotics.
- c. Respondent was terminated from her employment for stealing narcotics.
- d. Respondent was referred to the Kansas Nurses Assistance Program on December 19, 1997.
- e. Respondent failed and refused to enter the Kansas Nurses Assistance Program and her case was closed on January 13, 1998 for non compliance.

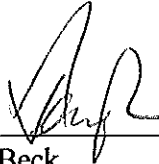
7. Respondent's actions constitute violations of the Kansas Nurse Practice Act K. S. A. 65-1120(a)(2); K. S. A. 65-1120(a)(3); K. S. A. 65-1120(a)(4); K. S. A. 65-1120(a)(6)K. S. A. 65-1120(a)(7); K. S. A. 65-1120(a)(8); and other applicable rules, regulations and guidelines, and the public's trust, for which she should be disciplined.

8. Respondent's license to practice as a nurse in Kansas should be revoked.

IT IS THEREFORE ORDERED that the Respondent's license to practice as a nurse in the State of Kansas should be, and is hereby, revoked. Respondent may not practice as a nurse in the state of Kansas. Respondent may not hold herself out as, or represent herself to be, a nurse in the State of Kansas. Respondent shall immediately surrendered her license card and all other evidence of licensure to the Board. Costs of the action in the sum of \$35.00 are hereby taxed to Respondent to be paid to the Board by cash, or money order, within 30 days of the effective date of this Order.

IT IS SO ORDERED.

Entered this 3rd day of February, 1999.



Terry E. Beck
Hearing Officer

PREPARED AND SUBMITTED BY:



Rex G. Beasley

Disciplinary Counsel

NOTICE REGARDING THIS PROPOSED DEFAULT ORDER

This is a Proposed Default Order. The party against whom it is issued may file a written motion within seven (7) days after service, requesting that the Proposed Default Order be vacated and stating the grounds relied upon. Unless a written motion to vacate is filed, the Proposed Default Order shall become effective after expiration of the time Stated above. If a motion to vacate a Proposed Default Order is timely filed, the Presiding Officer shall either vacate the Proposed Order or issue the Default Order as proposed. If the Hearing Officer issues a Default Order as proposed, the Order shall become effective upon service.

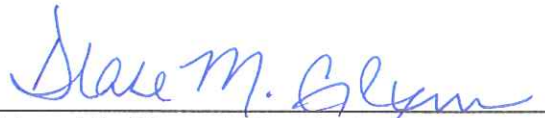
CERTIFICATE OF SERVICE

This is to certify that on the 3rd day of February, 1999, I deposited a true and correct copy of the Proposed Default Order in the United States Mail, first class mail, postage prepaid to the following:

Deborah Randolph
1101 W 100th Street
Kansas City, Missouri 64114

and by hand delivery to:

Rex G. Beasley
Assistant Attorney General
Kansas State Board of Nursing
900 S.W. Jackson Rm 551-S
Topeka, Kansas 66612-1230



Diane M. Glynn, J.D., R.N.
Practice Specialist