

BEFORE THE KANSAS STATE BOARD OF NURSING
900 S.W. Jackson, Room 551-S
Topeka, Kansas 66612-1256
(913) 296-4929

OCT 01 1992 6772

IN THE MATTER)

OF)

LISA PETREE)

Lic. No. 14-054635-091)

Case No.: 92-093-1

INITIAL ORDER

This matters comes on for hearing this 18th day of September, 1992, before the board's duly appointed hearing officer Helen R. Rice, R.N., J.D. Also present is Steve Phillips, assistant attorney general, civil division, as general counsel to the hearing officer.

Petitioner appears by and through Kristy Hiebert, assistant attorney general, litigation division as disciplinary counsel to the board.

Respondent appears telephonically. Also present telephonically is Shawn Taylor, who does not represent Lisa as counsel.

This matter is heard telephonically by joint motion of the parties. On joint motion, the matter is converted to a conference hearing.

Agreement Between Parties

Petitioner and Respondent inform the board that an agreement has been reached. Pursuant to this agreement, the petition is amended as follows:

1. Page 2, ¶ 2 of Facts is amended to read. "Between early January 1992 and the middle of March 1992, it became evident through monitoring that quantities of Nuban were missing and the shortages occurred during hours that respondent was working.

2. Page 1, ¶ 3 of Facts which carries over to page 3 is amended to read: "When confronted with the fact that the supply of Nuban in the Emergency Room had been monitored and that quantities of the aforementioned drug was missing, Respondent admitted that she had removed the quantities of the drug from the Emergency Room without authorization for purposes unrelated to her employment and duties at Southwest Medical center.

Respondent stipulates that the facts set forth as amended are accurate and true and agrees to submit the matter to the hearing officer for appropriate conclusions and discipline.

Petitioner accepts this stipulation and makes no recommendation as to conclusions or discipline.

Respondent is sworn and makes a statement as to mitigating evidence.

Whereupon with due deliberation the board makes the following findings and conclusions:

Findings

1. Respondent is or has been entitled to practice as a registered nurse in the state of Kansas, having been issued license no. 14-054635-091 having an expiration date of September 30, 1993.

2. Notice of this hearing was mailed to respondent on September 3, 1992, which constitutes timely notice.

3. There was no objection by either party to any of the following: the form of petition and the filing of the petition, the form or timing of notice of hearing, the adequacy of service of the petitioner or notice of hearing, the time or place or manner of hearing, the hearing officer, the procedure followed at the hearing, the board's authority to hear and decide the case, or the board's jurisdiction over person or subject matter.

4. The factual allegations in the petition as amended and stipulated to are accepted by the hearing officer and are hereby incorporated by reference into this order as findings of fact.

Conclusions

1. The board and this hearing officer have jurisdiction over this matter and the Respondent.

2. The facts establish that Respondent has committed acts in violation of k.S.A. 1991 Supp. 65-1120(a)(6), unprofessional conduct, as defined in K.A.R. 60-3-110(a)(9), diverting drugs, supplies or property of patients or agency.

Wherefore after due deliberation it is hereby ordered.

1. That respondent's license is suspended for a period of 6 months.

2. That the suspension of respondent's license is stayed immediately.

3. That the stay shall remain in effect with respondent's compliance with the following conditions:

a. That respondent remain in counseling with sessions scheduled on a frequency recommended by her counselor.

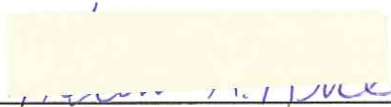
b. Respondent shall sign releases directing her counselor to give this board progress reports, and such reports shall be given three months and six months from service of this order.

Notice Regarding Relief From This Order

This is an Initial Order. The party against whom this initial order was issued may file a petition for review with

the agency head within fifteen (15) days after service of this order. This petition for review must state its basis. Unless a later date is stated in an initial order, a stay is granted, or the order is reviewed, an initial order shall become a final order without further notice or proceedings thirty (30) days after the date of service, as indicated by the attached Certificate of Service.

It is so ordered this 29th day of September, 1992.



Helen R. Rice,
Hearing Officer

CERTIFICATE OF SERVICE

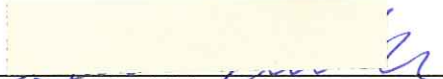
This is to certify that a copy of the attached Final Order Denying Stay was served by depositing the same in the United States Mail, first class postage prepaid, this 30th day of September, 1992, addressed to:

Lisa Petree
8124 N. MacArthur
Oklahoma City, Oklahoma 73132

Lisa Petree
Attn: Richard Mildren
5801 N. Broadway
Oklahoma City, Oklahoma 73118

and hand delivered to

Kristy L. Hiebert
Assistant Attorney General
Kansas Judicial Center, 2nd Floor
Topeka, Kansas 66612
Disciplinary Counsel



Steve Phillips, for
the presiding officer