

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED #602
OCT 29 2012 p26

IN THE MATTER OF LISA JEAN SHARP

KSBPN

License No. 14-56151-011

Case No. 11-1437-7

SUMMARY ORDER

NOW ON THIS 29th day of October, 2012, 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 proposed to find facts and take disciplinary action against the nursing license by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. Licensee is licensed to practice nursing in the state of Kansas. The Board has jurisdiction over the Applicant and the subject matter of this action.
2. Applicant's address of record is 931 E. Oakview Street, Olathe, Kansas 66061
3. On or about 31st of May, 2010, the Board received complaint regarding this nurse's conduct as it involved a clinical research study.
4. Review of the information gathered by the Board revealed the following information upon which this action is based.
 - a. According to the report, it is alleged that while you were employed by Lee Research Institute as a Director of Clinical Trials, you were charged with five (5) counts of fraud and conspiracy to commit fraud on the 31st of May, 2010 in the United States District Court, District of Kansas in Case No. 5:11CR40042-001-RDR.
 - b. Licensee was terminated from this employment in June, 2010.
 - c. Licensee entered into a plea of guilty to one (1) count of conspiracy to falsifying study date in a clinal drug trial and one (1) count of failing to maintain records in a clinical trial on the 19th of October, 2011 and the remaining three (3) counts were dismissed.

c. This Licensee was sentenced on the 26th of March, 2012 to one (1) year of supervised release and ordered to pay restitution in the amount of \$36,046.20..

5. This conviction was not reported in writing to KSBN pursuant to K.S.A. 65-1117(c) (1) (B) within 30 days of the conviction.

CONCLUSIONS OF LAW

1. Pursuant to KAR 60-3-110 (d) Unprofessional conduct i.e. "inaccurately recording, falsifying or altering any record of a patient or agency or of the board:"The licensee's actions are reflected in the allegations contained in the criminal complaint.
2. Pursuant to KAR 60-3-110 (m) Unprofessional conduct i.e. "engaging in conduct related to licensed nursing practice that is likely to deceive, defraud, or harm the public."
3. K.S.A. 65-1120(a)(6) to be guilty of unprofessional conduct as defined by the rules and regulations.
4. 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 authorization, if the applicant, licensee or holder of a certificate of qualifications or authorization is found to have violated the Nurse Practice Act.
5. The above fact findings established evidence that the applicant violated the following provisions of the Nurse Practice Act:
 - (a) K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by the rules and regulations of the Board, KAR 60-3-110(d) and (m)
 - (b) Pursuant to KAR 60-3-110 (d) Unprofessional conduct i.e. "inaccurately recording, falsifying or altering any record of a patient or agency or of the

board:"The licensee's actions are reflected in the allegations contained in the criminal complaint.

- (c) Pursuant to KAR 60-3-110 (m) Unprofessional conduct i.e. "engaging in conduct related to licensed nursing practice that is likely to deceive, defraud, or harm the public" as reflected in the criminal complaint filed against licensee.
- (d) K.S.A. 65-1120 (a)(1) "To be guilty of fraud or deceit in practicing nursing..." as evidenced by the criminal charges.
- (e) K.S.A. 65-1120(a)(7) willfully violating any of the provisions of the Kansas Nurse Practice Act and K.S.A. 65-1117(c)(1) B by failing to disclose all felony convictions.

6. Licensee's conduct described herein violated the Kansas Nurse Practice Act and renders the applicant non-qualified for practicing as a nurse.
7. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the summary proceedings does not violated any provision of law and the protection of the public interest does not require the state agency to give notice and opportunity to participate to persons other than the parties.
8. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

POLICY STATEMENT

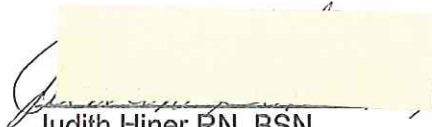
1. The Board of Nursing is concerned for the safety and quality of nursing care provided to the citizens of the State of Kansas and any deceitful, deceptive and false documentation is not in the best interest of the Health Care Community.
2. Truthfulness is a hallmark of the nursing profession and is required to ensure accurate communication of all nursing actions.

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

1. **Applicant's license to practice nursing in the state of Kansas is revoked.**

Pursuant to K.S.A. 77-537, the decision, which is called a Summary Order, is subject to your request for 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.

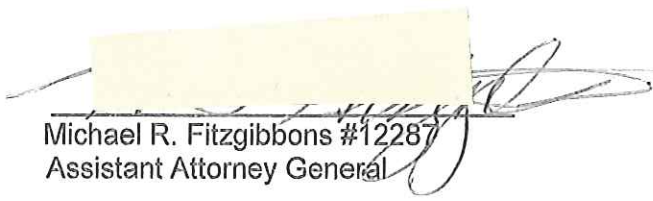
Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.


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

CERTIFICATE OF SERVICE

On the 29th day of October, 2012, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Lisa Jean Sharp
931 E. Oakview Street
Olathe, Kansas 66061


Michael R. Fitzgibbons #12287
Assistant Attorney General