

BEFORE THE KANSAS STATE BOARD OF NURSING  
LONDON STATE OFFICE BUILDING  
900 S.W. JACKSON, #551-S  
TOPEKA, KANSAS 66612-1230

IN THE MATTER )  
 )  
OF ) Case No: 91-058-5(A)  
 )  
DEBORAH BAUMAN )  
LICENSE NO. 14-057972-052 )

PROPOSED DEFAULT ORDER

Now on this 12th day of March, 1996, the above-captioned matter comes on for hearing before Terry E. Beck, the Board's designated Hearing Officer, on the Petition filed with the Board. The Petitioner appears by and through Assistant Attorney General Mark S. Braun, Disciplinary Counsel for the Board. The Respondent, Deborah Bauman, does not appear.

The matter was set for hearing at 11:00 this 12th day of March, 1996. Due to a conflict of the Hearing Officer, a notice was placed on the door to the hearing room that all hearings scheduled this 12th day of March would be continued to 2:30 p.m. The Hearing Officer states that to the Board's staff's knowledge, the Petitioner's counsel's knowledge, and the hearing officer's knowledge, no appearance was made by the Respondent at 11:00 a.m., and no appearance was made by the Respondent at 2:30 p.m.

The Hearing Officer states that the record should further reflect that the prior order of the Board in March, 1995, suspended the Respondent' license. This matter is now set for a year-end review hearing to determine whether to terminate or continue the suspension. Since there is no appearance by the Respondent, no review will be conducted. The previous order suspending the Respondent's license shall remain in effect until further order of the Board.

The Hearing Officer inquires of the Petitioner's counsel if there is anything else that should be stated. Petitioner's counsel states that, regarding the notice posted on the hearing room door continuing the cases to 2:30 p.m., the notice also informed those scheduled to appear that if they had questions or problems regarding the continuance, they were to report to the Board Office. The Respondent did not appear at the Board office either.

Whereupon, the Hearing Officer makes the following Findings of Fact and Conclusions of Law:

#### **FINDINGS OF FACT**

1. Respondent has been entitled to practice in Kansas as a registered professional nurse (RN), having been issued license number 14-057972-052, with an expiration date of May 31, 1996.
2. By the March, 1995 order, the Respondent's license to practice as a nurse was suspended, and a review of that suspension was to be held in March, 1996.
3. On February 15, 1996, Respondent was served a Scheduling Notice at two addresses last known to the Board, informing her of the March 12, 1996 hearing.

4. Respondent failed to appear on that date. Further, the Respondent did not seek any continuance, nor did she contact the Board regarding this case.

#### **CONCLUSIONS OF LAW**

1. The Board and this Hearing Officer has jurisdiction to hear this matter pursuant to K.S.A. 65-1113, et seq.

2. This Board has jurisdiction over the Respondent as a licensee of the Board.

3. The Hearing Officer, by designation of the Board, has the authority to issue disciplinary action against the Respondent's license to practice as a nurse in Kansas, according to the Kansas Administrative Procedures Act, K.S.A. 77-501, et seq.

4. Notice of the proceedings and service of the notice were done in accordance with requirements of the Kansas Administrative Procedures Act, K.S.A. 77-501 et seq., and the Kansas Nurse Practice Act, K.S.A. 65-1113 et seq., and therefore, are found to be proper.

5. K.S.A. 65-1120(b) authorizes the Board to conduct all proceedings in accordance with the provisions of the Kansas Administrative Procedures Act, K.S.A. 77-501 et seq.

6. Respondent violated the Kansas Nurse Practice Act as stated in the Board's previous order, and her license was suspended until March 31, 1996. A review hearing was to be held in March, 1996 to determine whether to terminate or continue the suspension.

7. The Board, and the Hearing Officer by the Board's designation, has the authority to issue proposed default orders pursuant to the Kansas Administrative Procedures Act, K.S.A. 77-501 et seq.

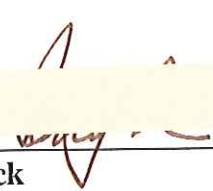
9. Respondent does not appear and is found to be in default in these proceedings.

10. Therefore, the previously ordered suspension shall remain in effect.


**ORDER**

Based upon the Findings of Fact and Conclusions of Law, **It Is Ordered** that the license issued to Deborah Bauman to practice as a Registered Professional Nurse (RN) in the State of Kansas is to remain **suspended**. Respondent may not practice as a nurse in the state of Kansas.

**IT IS SO ORDERED**

  
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Terry E. Beck  
Hearing Officer

**PREPARED AND SUBMITTED BY:**

  
\_\_\_\_\_  
Mark S. Braun  
Assistant Attorney General  
Disciplinary Counsel  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson, Suite 551-S  
Topeka, Kansas 66612-1230  
(913) 296-8401

**NOTICE REGARDING THIS PROPOSED DEFAULT ORDER**

This is a Proposed Default Order. The party against whom it is issued may file a written motion with seven (7) days after service, requesting that the Proposed Default Order be vacated and stating the grounds relied upon. The Proposed Default Order shall become effective after expiration of the time within which the party may file a written motion to vacate the Order is filed with the agency within such time. Upon receipt of a motion to vacate a Proposed Default Order, 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**

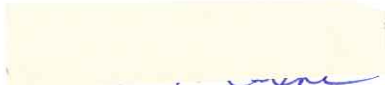
This is to certify that a copy of the foregoing Proposed Default Order was served by depositing same in the United States Mail, first class postage prepaid, this 20<sup>th</sup> day of May, 1996, to Deborah Bauman at the following addresses:

3516 Bennett  
Wichita, Kansas 67217

6747 Parlane #1105  
Wichita, Kansas 67212

And by hand delivering a copy of same to:

Mark S. Braun  
Disciplinary Counsel  
Kansas State Board of Nursing  
Landon State Office Building  
900 S.W. Jackson, Room 551-S  
Topeka, Kansas 66612-1230

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