

BEFORE THE KANSAS STATE BOARD OF NURSING

IN THE MATTER OF: )  
 )  
ARLENA WORRELL )  
AKA ARLENA KING )  
License No. 14-067556-122 )

CASE NO. 93-0014-0

AUG 27 1993 218

**CONSENT AGREEMENT AND FINAL ORDER**

COME NOW the Petitioner, the Kansas State Board of Nursing, hereinafter referred to as the "Board." by and through Assistant Attorney General Mark S. Braun, and the Respondent, Arlena Worrell, pro se, and respectfully request the Board, or its designee, to approve this Consent Agreement and Final Order as the resolution of this case. By entering into this Consent Agreement and Final Order, both parties waive their right to a full administrative hearing pursuant to K.S.A. 65-1120(b) and K.S.A. 77-523. This Consent Agreement and Final Order affects the Respondent's license to practice as a registered professional nurse in Kansas.

**AGREEMENT**

It is the intent and purpose of this Consent Agreement and Final Order to provide for settlement of all issues currently before the Board without the necessity of a formal hearing. Respondent, knowingly and intelligently waives her right to a hearing on the issues currently before the Board relating to her license. The parties agree as follows:

1. Both parties to this Agreement acknowledge that the Board received a complaint and conducted an investigation as to whether Respondent violated the Kansas Nurse Practice Act. Based on that investigation, there are reasonable grounds to believe Respondent violated the Act.

2. Respondent, acknowledges and understands that: she has a right to an attorney at any and all stages of these proceedings, she has the right to a full and fair hearing on the allegations made by the Petitioner; at such hearing Petitioner would be required to present witnesses and evidence in support of the allegations; she, or her counsel, would have the opportunity to cross-examine Petitioner's witnesses; she, or her counsel, would have the opportunity to present witnesses and evidence on her behalf; the matter would be decided on the evidence presented and a decision would include findings of fact and conclusions of law; the right to seek reconsideration of any adverse order issued by the Board and the right to seek an appeal to the district court for judicial review of any adverse Board order or decision. Respondent, understands that by entering into this Consent Agreement and Final Order, she is waiving the above-mentioned rights.

3. In lieu of proceeding to a full hearing, Respondent stipulates to the allegations contained in paragraphs 5 and 6 of the Petition. Respondent understands that by stipulating to those paragraphs, she is admitting to violations of the Kansas Nurse Practice Act.

4. Pursuant to the disciplinary remedies available in K.S.A. 65-1120, Respondent's license to practice as a registered professional nurse (R.N.) will be suspended for a period of one year from the date this Consent Agreement and Final Order is approved by the Board, or its designee. Imposition of that suspension shall be stayed, and Respondent shall meet the following conditions to keep the stay in effect:

- A. Respondent shall comply with the terms of the Agreement she entered into with the Missouri board of Nursing. (A copy of that Agreement is attached and incorporated by reference to the Consent Agreement and Final Order.)
- B. Respondent shall provide the Board with a copy of the evaluation for chemical dependency ordered by the Missouri Board. Respondent shall provide evidence she followed the recommendations of that evaluation and information about her current treatment status. (This requirement can be met by having the treatment professional(s) involved write a letter to the Board.)
- C. Respondent shall have her employer submit quarterly reports to the Board's Practice Specialist. The reports shall provide information about Respondent's attendance, quality of work performance and patient care;

- D. Respondent shall notify the Board's practice Specialist in writing within ten(10) days of any changes in employment, residence, and home telephone numbers;
- E. Respondent shall address a request in writing to the Missouri State Board of Nursing, and provide them appropriate release, to release to the Kansas State Board of Nursing any and all information relating to the Respondent's compliance with her Agreement with the Missouri Board since Respondent entered into that Agreement. Such request shall not include, or shall it request, the Missouri Board to provide any information relating to any treatment received. That information is to be provided by the Respondent as previously stated in Paragraph 4.B of the Agreement section of this Consent Agreement and Final Order.

5. By signing this Consent Agreement and Final Order, Respondent acknowledges she has read the entire document; that she has the opportunity to obtain counsel, to advise her in this matter; and agrees to be bound by this document;

6. Respondent understands and acknowledges that this Consent Agreement and Final Order affects her license to practice as a registered professional nurse (R.N.) in the State of Kansas;

7. Should the Board, or its designee, modify or change the Consent Agreement and Final Order in any manner unsatisfactory to

either party, either party may withdraw its consent and the matter will proceed to hearing. Further, if the Consent Agreement and Final Order, as signed by the parties is not acceptable to the Board, or its designee, neither party shall be bound to any representations made in this agreement.

#### FINDINGS OF FACT

1. Respondent is licensed to practice as a registered professional nurse (R.N.) in the state of Kansas, having been issued license number 14-067556-122, with an expiration date of December 31, 1994;

2. The Board received a complaint and conducted an investigation into alleged violations of the Kansas Nurse Practice Act by the Respondent.

3. The Board found there were reasonable grounds to believe respondent violated the Kansas Nurse Practice Act;

4. On or about August 27, 1991, Respondent's license to practice as a registered professional nurse was revoked, limited, or suspended by the licensing authority in Missouri, or had other disciplinary action taken against her by the Missouri licensing authority in violation of K.S.A. 65-1120(a)(8). Respondent entered into an agreement regarding discipline of her license;

5. Respondent stipulates and admits to allegations contained in Paragraphs 5 and 6 contained in the Petition;

6. In lieu of proceeding to a full administrative hearing, the parties have agreed to enter into and be bound by this Consent Agreement and Final Order;

7. Both parties understand and acknowledge that pursuant to K.S.A. 45-215 et seq., the signed original of the Consent Agreement and Final Order shall remain in the custody of the Board as a public record.

#### CONCLUSIONS OF LAW

1. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter pursuant to K.S.A. 1120;

2. Respondent is not represented by counsel. Respondent is aware of her rights under the United States and Kansas Constitutions, the Kansas Nurse Practice Act and the Kansas Administrative Procedures Act. Based on the knowledge of her rights, Respondent has knowingly, intelligently and voluntarily waived her rights and entered into this Consent Agreement and Final Order. In lieu of proceeding to a full administrative hearing, Respondent waives her rights to: an adjudicative administrative hearing in which the evidence and witnesses against would be presented; cross-examination of the witnesses against her; the opportunity to present witnesses and evidence on her behalf; a decision by the board or its designee based on the evidence and findings of fact and conclusions of law; the right to seek reconsideration by the Board of any adverse decision and the right to seek judicial review by a district court of any adverse decision by the Board;

3. Respondent has stipulated and admitted to Paragraphs 5 and 6 contained in the Petition. Based on those stipulations,

Respondent has violated the Kansas Nurse Practice Act, K.S.A. 65-1113 et seq., specifically K.S.A. 65-1120(a)(8);

4. The Petitioner and Respondent have entered into this Consent Agreement and Final Order which, when signed by both parties and approved by the Board or its designee, shall be binding on the parties and the Board.

#### FINAL ORDER

WHEREFORE, based on the foregoing Agreement, Findings of Fact and Conclusions of Law, IT IS THEREFORE ORDERED that the following action will be taken against Respondent's license to practice as a registered professional nurse (R.N) in the State of Kansas:

Pursuant to the disciplinary remedies available in K.S.A. 65-1120, Respondent's license to practice as a registered professional nurse (R.N.) is hereby suspended for a period of one year from the date this consent Agreement and Final Order is approved by the Board, or its designee. Imposition of the suspension shall be stayed and Respondent shall meet the following conditions to keep the stay in effect:

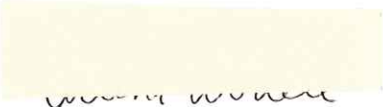
- A. Respondent shall comply with the terms of the Agreement she entered into with the Missouri board of Nursing. (A copy of that Agreement is attached and incorporated by reference to the consent Agreement and Final Order.)

- B. Respondent shall provide the Board with a copy of the evaluation for chemical dependency ordered by the Missouri Board. Respondent shall provide evidence she followed the recommendations of that evaluation and information about her current treatment status. (This requirement can be met by having the treatment professional(s) involved write a letter to the Board.)
- C. Respondent shall have her employer submit quarterly reports to the Board's Practice Specialist. The reports shall provide information about Respondent's attendance, quality of work performance and patient care;
- D. Respondent shall notify the Board's practice Specialist in writing within ten(10) days of any changes in employment, residence, and home telephone numbers;
- E. Respondent shall address request in writing to the Missouri State Board of Nursing, and provide them appropriate release, to release to the Kansas State Board of Nursing any and all information relating to the Respondent's compliance with her Agreement with the Missouri Board since Respondent entered into their Agreement. Such request shall not include, nor shall it request the Missouri Board to provide any information relating to any treatment

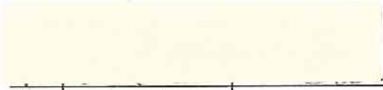


received. That information is to be provided by the Respondent as previously stated in Paragraph 4.B of the Agreement section of this Consent Agreement and Final Order.

IN WITNESS WHEREOF, the parties hereunto execute this Consent Agreement and Final Order:

  
Arlena Worrell

8-27-93  
Date

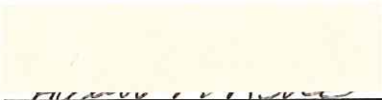
  
Mark S. Braun  
Assistant Attorney General  
Board Disciplinary Counsel

8/27/93  
Date

WHEREFORE, the provisions stated above are hereby adopted and made the Final Order of the Kansas State Board of Nursing.

IT IS SO ORDERED

Dated this 27th Day of August, 1993.

  
Board Representative or  
Board Designee

STATE OF MISSOURI



Department of Economic Development

Division of Professional Registration

STATE BOARD OF NURSING

3605 Missouri Boulevard, P.O. Box 656

Jefferson City, Missouri 65109

Telephone 314-751-0681

Text Telephone (TT) 1-800-735-2966

(Hearing Impaired)

Florence Stillman, R.N., M.S.N.

FEB 04 1993 7366

CERTIFICATION

I, Florence Stillman, R.N., M.S.N., Executive Director, of the Missouri State Board of Nursing certify that the document(s) which is/are attached is/are true and correct copy(s) of the information contained in the file of:

Arlena Worrell, RN071552

BOARD SEAL

*Florence Stillman*

Missouri State Board of Nursing

Florence Stillman, R.N., M.S.N.

Executive Director

Date: February 1, 1993

DOCUMENTS ATTACHED

- 1. Consent Agreement dated 8/27/91.

AGREEMENT BETWEEN THE STATE BOARD OF NURSING  
AND ARLENA KING REGARDING DISCIPLINE OF THE NURSING  
LICENSE OF ARLENA KING

SES 04 1993 7366

I

Come now Arlena King and the State Board of Nursing (hereinafter "Board") and enter into this Agreement for the purpose of resolving the question of whether Arlena King's license as a registered professional nurse will be subject to discipline.

Arlena King (hereinafter "Licensee") understands that this Agreement is in lieu of a trial-type hearing of the charges before the Administrative Hearing Commission where she would have the right to appear and be represented by legal counsel; the right to have all charges proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing; the right to a decision upon the record by a fair and impartial administrative hearing commissioner concerning the charges pending, and subsequently, the right to a disciplinary hearing before the State Board of Nursing at which time evidence in mitigation of discipline may be presented; and the right to a claim for attorneys fees and expenses. Being aware of these rights, the parties knowingly and voluntarily waive each and every one of these rights and agree to abide by the terms of this document, in lieu of proceedings before the Administrative Hearing Commission.

II

Licensee hereby stipulates with the State Board of Nursing to the following facts:

1. The State Board of Nursing is an agency of the State of Missouri created and established pursuant to Section 335.021 for the purpose of executing and enforcing the provisions of Chapter 335, RSMo, the Nursing Practice Act.

2. The Licensee is licensed by the Board as a registered professional nurse, License No. RN071552. The Licensee's Missouri license is current and active.

3. On or about August 17, 1990, licensee was employed as a registered nurse at Liberty Hospital, Liberty, Missouri. On August 17, 1990, the narcotic count was short four vials of Demerol 100 mg. Licensee had the vials in her pocket and had not signed them out.

4. On or about July 8, 1990, while working at Liberty Hospital, licensee signed out 75 mg Demerol two times when 50 mg was ordered. Licensee indicated that 25 mg was wasted but did not have the waste recorded. Licensee signed out eighteen doses of Demerol but only charted eight doses on the MAR. Licensee signed out Vicodin tabs and Percocet tabs but did not chart them in the MAR.

5. On or about July 9, 1990, while working at Liberty Hospital, licensee signed out seven doses of Demerol but only charted two doses in the MAR.

6. Licensee was terminated from Liberty Hospital on August 18, 1990, for violation of the medication administration policy.

7. Cause exists for discipline against Licensee's registered professional nursing license pursuant to Section 335.066.2(5) and (12), RSMo 1986.

### III

In light of the foregoing stipulation of facts, Licensee and the Board hereby consent and agree to the following disciplinary action to be imposed against license number RN071552 effective the date this document is signed by the Board.

By agreement of the parties, License Number RN071552 of Arlena King is revoked. Imposition of the Revocation shall be stayed and the licensee shall be placed on probation for a period of three (3) years. The terms of the probation shall be:

#### I. MEETINGS WITH THE BOARD

The licensee shall appear before the Board two times annually at the Board's regular winter and summer meetings or, as designated by the Board, shall meet with a member of the Board's professional staff within a period of four weeks prior to the Board's regular winter and summer meetings.

#### II. REQUIREMENTS REGARDING EMPLOYMENT:

A. The licensee shall cause an evaluation form from her employer to be submitted to the Board four weeks prior to the Board's regular winter and summer meetings. The evaluation form shall be completed within a six week period prior to the date it is due. If the licensee ends employment with an employer, the licensee shall, in addition, cause a final evaluation

form from that employer to be submitted to the Board within a six week period following the last day of employment.

B. The evaluation shall be an evaluation of the licensee's performance on a form prescribed by the Board and shall be addressed to: Missouri State Board of Nursing, P.O. Box 656, Jefferson City, Missouri 65102.

C. If the licensee is not employed at that time, the licensee shall instead submit an affidavit signed before a notary public stating that she is not employed at that time.

D. The licensee shall execute any release or provide any other authorization necessary for the Board to obtain records of the licensee's employment during the period covered by this Agreement.

E. The licensee shall keep the Missouri State Board of Nursing informed of her current place of employment.

### III. REQUIREMENTS REGARDING CHEMICAL DEPENDENCY TREATMENT AND REHABILITATION:

A. The licensee shall, within six weeks from the effective date of this agreement, undergo an evaluation for chemical dependency by a licensed or certified chemical dependency professional and shall follow any recommendations for treatment made by that chemical dependency professional. Licensee shall comply with Paragraphs B through H for each

recommendation made by the professional. If there is no recommendation for treatment, the licensee shall execute a release so that the Board can obtain the evaluation and supporting documents. If there is no recommendation for treatment, paragraphs C through G do not apply to licensee.

- B. The licensee shall execute a medical release or other appropriate release which shall cover the entire period covered by this Agreement authorizing the Missouri State Board of Nursing to obtain records of the licensee's treatment for chemical dependency. The licensee shall not take any action to cancel this release. The licensee shall take any and all steps necessary to continue the release in effect.
- C. The licensee shall cause a letter of evaluation from the chemical dependency professional to be submitted to the Board four weeks prior to the Board's regular winter and summer meetings.
- D. The letter shall include an evaluation of the licensee's current status in the treatment plan and the licensee's current prognosis.
- E. The letter shall be addressed to: Missouri State Board of Nursing, P.O. Box 656, Jefferson City, Missouri 65102.
- F. If the treatment of the licensee is successfully completed during the period covered by this Agreement, the licensee shall cause the chemical dependency

professional to submit a letter of evaluation stating that the licensee has successfully completed treatment.

G. The licensee shall submit evidence of weekly attendance at Alcoholics Anonymous or Narcotics Anonymous meetings to the Board four weeks prior to the Board's regular winter and summer meetings. The documentation shall be on forms provided by the Board and include the date, time and place of the meeting and shall bear a signature or abbreviated signature of another person verifying attendance.

H. The licensee shall not use alcohol. The licensee shall not use any controlled substance or other drug for which a prescription is required unless that use of the drug has been prescribed by a person licensed to prescribe such drug and with whom the licensee has a bona fide relationship as a patient. The licensee shall provide the Board with documentation of any such prescription upon request.

#### IV. GENERAL REQUIREMENTS

A. The licensee shall meet with the Board or its representatives at such times and places as required by the Board after notification of a required meeting.

B. The licensee shall keep the Missouri State Board of Nursing informed of her current home address and telephone number at all times.

C. The licensee shall not violate the Nursing



Practice Act, Chapter 335, RSMo, and shall not allow her license to lapse.

- D. The terms of probation apply even if a licensee places her license on inactive status.
- E. If the licensee fails to comply with the terms of this Agreement, in any respect, the Board may impose such additional or other discipline which it deems appropriate, including imposition of the Revocation.

STATE BOARD OF NURSING

*Florence Stillman*  
FLORENCE STILLMAN, R.N., M.S.N.  
Executive Director

WILLIAM L. WEBSTER  
Attorney General

*Arlena King*  
ARLENA KING  
Date: 8-17-91

*Cynthia A. Quetsch*  
CYNTHIA A. QUETSCH  
Assistant Attorney General

Effective this 27<sup>th</sup> day of August, 1991.  
[Effective date to be filled in by Executive Director.]

Mark S. Braun, #12795  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson, Suite 551-S  
Topeka, Kansas 66612-1230  
(913) 296-4325

AUG 27 1993-217

BEFORE THE KANSAS STATE BOARD OF NURSING  
LANDON STATE OFFICE BUILDING  
900 SW JACKSON, SUITE 551-S  
TOPEKA, KANSAS 66612-1230  
(913) 296-4929

IN THE MATTER OF )  
)  
)  
ARLENA WORRELL ) CASE NO. 93-0014-0  
AKA ARLENA KING )  
LIC. NO. 14-067556-122 )

PETITION TO LIMIT LICENSE

COMES NOW the Kansas State Board of Nursing by and through its Disciplinary Counsel, Assistant Attorney General Mark S. Braun, and initiates these proceedings pursuant to K.S.A. 65-1120. Petitioner alleges and states:

1. The Kansas State Board of Nursing, hereinafter referred to as the "Board," has received information, and conducted an investigation and determined there are reasonable grounds to believe respondent has committed acts in violation of the Kansas Nurse Practice Act, K.S.A. 65-1113 et seq.
2. The Board has requested the Office of the Attorney General to prosecute this action. Robert T. Stephan is

the duly elected and acting Attorney General for the State of Kansas.


3. Respondent's last mailing address known to the Board is 1320 N 27th Street, St. Joseph, Missouri 64506.
4. Respondent applied for a license to practice as a Registered Professional Nurse in the State of Kansas. She received a temporary permit to practice and then license number 14-067556-122, having an expiration date of December 31, 1992.
5. Prior to issuance of her Kansas license, respondent Arlena Worrell also known as Arlena King was licensed in Missouri. On or about August 27, 1991 while licensed in Missouri, respondent's license to practice nursing as a Registered Professional Nurse was denied, revoked, limited or suspended by the licensing authority in Missouri or had other disciplinary action taken against her by the Missouri State licensing authority. Such action against respondent's license constitutes an act in violation of K.S.A. 65-1120 (A)(8) and subjects respondent to disciplinary action or denial, revocation, limitation or suspension of her license in Kansas.
6. Petitioner adopts and incorporates Exhibit "1", a certified copy of the Agreement between the Missouri State Board of Nursing and Arlena Worrell (also known as Arlena King) regarding the action taken against her

Missouri license to practice as a Registered Professional Nurse.

WHEREFORE, petitioner respectfully requests that the Board serve Respondent with a copy of this Petition and a copy of a Notice of Hearing as required by law. Further, petitioner requests this matter be set for hearing in order for the Board, or its designee, to hear evidence from petitioner and respondent in order to determine through Findings of Fact and Conclusions of Law whether respondent committed acts in violation of the Kansas Nurse Practice Act. If the Board, or its designee, finds respondent has violated the Kansas Nurse Practice Act, petitioner requests that the Board, or its designee, take appropriate disciplinary action against respondent's ability to practice in Kansas.

Respectfully submitted,

ROBERT T. STEPHAN  
Attorney General

---

Mark S. Braun, #12795  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson, Suite 551-S  
Topeka, Kansas 66612-1230  
(913) 296-4325