

BEFORE THE KANSAS STATE BOARD OF NURSING
Landon State Office Building, Room 551-S
900 SW Jackson
Topeka, Kansas 66612-1230

IN THE MATTER)
)
 OF)
)
 DONNA GRIFFITH)
 RN ENDORSEMENT APPLICANT)
 _____)

Case No. 93-0046-0



INITIAL ORDER

Now on this 22nd day of September 1994 the above-captioned matter comes on for hearing before the Kansas State Board of Nursing (KSBN) Hearing Panel composed of James McClinton, Arnetha Martin and Barbara McPherson on Respondant's application by endorsement for a license to practice professional nursing pursuant to K.S.A. 65-1115(b). Petitioner appears by Mark Braun, Assistant Attorney General/Disciplinary Counsel for KSBN. Respondant appears in person.

Whereupon Petitioner and Respondant submit Stipulations of fact which the Hearing Panel accepts.

Whereupon the Hearing Panel retires to a closed session for deliberations.

Whereupon following its deliberations the Hearing Panel announces the following conclusions of law:

1. The Stipulations of Fact support the conclusion that in January 1993 Respondant engaged in the practice of nursing as that term is defined in K.S.A. 65-1113(d) in Johnson County, Kansas.

2. In January 1993 Respondant was not licensed to practice nursing in the state of Kansas nor was Respondant certified as an advanced registered nurse practitioner in midwifery.

3. By practicing nursing without being duly licensed in January 1993, Respondant engaged in the unlawful practice of nursing pursuant to K.S.A. 65-1114(a).

The Stipulations of fact are incorporated by reference and adopted as the Findings of Fact in this Initial Order as if fully set out herein.

Whereupon the Hearing Panel invites statements and arguments from Petitioner and Respondant concerning whether to grant or deny Respondant's application to practice professional nursing.

Whereupon Respondant makes her statements and arguments and responds to questions from the Hearing Panel. Respondant introduces Exhibits #1-#4, letters of reference. There being no objection, the exhibits are admitted.

Whereupon Petitioner waives making a statement or argument.

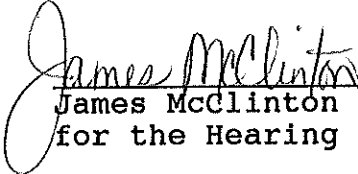
Whereupon the Hearing Panel retires to deliberate.

Whereupon the Hearing Panel announces and orders as follows:

1. Respondant is granted a license to practice professional nursing, provided however that the license limits Respondant from the practice of obstetrical nursing in a home setting for 5 years unless Respondant becomes certified as an advanced registered nurse practitioner in midwifery.

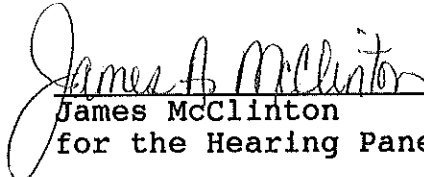
2. Pursuant to K.S.A. 74-1110 Respondant is assessed a fine of \$1,000 which may be paid according to terms arranged with Diane Glynn, Practice Specialist for the Board.

IT IS SO ORDERED.


James McClinton
for the Hearing Panel

NOTICE REGARDING RELIEF FROM INITIAL ORDER

This is an Initial Order. The party against whom this Initial Order is issued may file a Petition for Review with the full Kansas State Board of Nursing within fifteen (15) days after service of this Initial Order. A Petition for Review must state its basis. Unless a later date is stated in this Initial Order or a stay is granted or this Initial Order is reviewed, this Initial shall be come a Final Order without further notice or proceedings thirty (30) days after the date of service, as indicated by the attached Certificate of Service.


James McClinton
for the Hearing Panel

Certificate of Service

This is to certify that on the 11th day of October 1994 a true and correct copy of the above and foregoing INITIAL ORDER was deposited in the U.S. mail, first class postage prepaid, addressed to:

Donna Griffith
4917 NE Park Lane
Kansas City, Missouri 64118

and a true and correct copy was deposited in Inter-Agency mail addressed to:

Mark Braun
Assistant Attorney General/Disciplinary Counsel
Kansas State Board of Nursing
Landon State Office Building, Room 551-S



Camille Nohe
Assistant Attorney General/
General Counsel to KSBN