

Filed

OCT 22 2003

Board of Nursing

BEFORE THE KANSAS STATE BOARD OF NURSING
LONDON STATE OFFICE BUILDING, 900 S.W. JACKSON #1051
TOPEKA, KANSAS 66612-1230

**IN THE MATTER OF THE LICENSE OF
LINDA SILVA
LICENSE NO. 14-087635-111**

CASE NO. 03-105-0

PROPOSED DEFAULT ORDER
REVOKING LICENSE

NOW ON THIS 22nd day of October, 2003, petitioner appears by disciplinary counsel, Betty Wright, for a pre-hearing conference on the petition. Respondent does not appear.

Wherefore, the hearing officer finds as follows:

1. Respondent is licensed as a R.N. through 11/30/2003. The board has jurisdiction over this matter.
2. Petitioner sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper.
3. Petitioner moves for issuance of a proposed default order revoking the respondent's license.
4. The petition is hereby granted and incorporated into this order as if set forth herein.
Respondent violated the Nurse Practice Act as alleged in the petition.
5. Per petitioner's request, respondent's license to practice nursing is revoked. Respondent may not practice nursing in Kansas.
6. Respondent shall pay the costs of the action of \$70.
7. Disciplinary counsel shall mail a copy of this order to respondent's last known address.

IT IS SO ORDERED



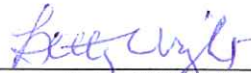
Terry E. Beck
Hearing Officer

NOTICE

This is a proposed default order pursuant to K.S.A. 77-520. This order becomes effective if respondent does not file a written motion requesting that this order be vacated with the board at:

State Board of Nursing –Legal Division
Landon State Office Building
900 SW Jackson, Ste 1051
Topeka, KS 66612-1230

within seven days after the day this order is mailed. If a motion is timely filed, then a hearing will be set and notice given to respondent to appear. Another order will then be issued either vacating or affirming this order.



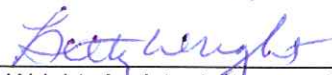
Betty Wright #14785
Disciplinary Counsel
900 S.W. Jackson, Suite #1051
Topeka, Kansas 66612-1230
785/296-4325

CERTIFICATE OF SERVICE

On the 22 day of October, 2003, I mailed a copy of this order by depositing it with the United States mail

Linda Silva
7722 Reno Lane
Citrus Heights, CA 95610

Linda Silva
1317 E San Angelo
Gilbert, AZ 85234



Betty Wright, Assistant Attorney General

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Board of Nursing

IN THE MATTER OF
LINDA SILVA
LICENSE NO. 14-087635-111

Case No. 03-105-0

PETITION

COMES NOW the petitioner, the Board of Nursing, by and through disciplinary counsel for the Board, Betty Wright, and for its cause of action states that:

1. Respondent is licensed as a Registered Nurse in Kansas through 11/30/03.
2. Respondent's address of record is 7722 Reno Lane, Citrus Heights, CA 95610 and 1317 E San Angelo, Gilbert, Az 85234.
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that respondent violated the nurse practice act and referred this matter for further proceedings.
4. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 *et seq.* to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120(a) is established.

FACTS COMMON TO ALL COUNTS

On or about 11/8/02 the respondent documented blood pressure and blood sugars on patients that she did not perform. Arizona State Board of Nursing had granted licensee temporary license. The Arizona Board then offered the licensee permanent licensure upon signing a consent agreement, however, the licensee never signed and therefore her licensure was denied.

COUNT I

Respondent violated K.S.A. 65-1120(a)(8) to have a license to practice nursing as a

registered nurse or as a practical nurse denied, revoked, limited or suspended, or to be publicly or privately censured, by a licensing authority of another state, agency of the United States government, territory of the United States or country or to have disciplinary action taken against the applicant or licensee by a licensing authority of another state, agency of the United State government, territory of the United States or country. A certified copy of the record or order of public or private censure, denial, suspension, limitation, revocation, or other disciplinary action of the licensing authority of another state, agency of the United States government, territory of the United States or country shall constitute prima facie evidence of such a fact for purposes of this paragraph.

COUNT II

Respondent violated K.A.R. 60-3-110(d), inaccurately recording, falsifying, or altering any record of patient or agency or of the board.

WHEREFORE, petitioner requests a finding that respondent violated the nurse practice act, for sanctions against respondent's license, and for the \$70 costs of this action to be assessed to respondent.

Respectfully submitted,

Phill Kline
Attorney General

By: Betty Wright
Betty Wright
Assistant Attorney General
Disciplinary Counsel for the Board