

Filed

MAR 12 2003

Board of Nursing

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

**IN THE MATTER OF THE LICENSE OF
CRYSTAL BALL
LICENSE NO. 24-026036-012**

CASE NO. 00-282-5

DEFAULT ORDER REVOKING LICENSE

NOW ON THIS 5th day of March, 2003, petitioner appears by disciplinary counsel, Alma Heckler, for a Hearing on the Petition. Respondent does not appear.

Wherefore, the hearing officer finds as follows:

1. Respondent is licensed through 1/31/2004 as an L.P.N. 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 license.
4. The petitioner's request is granted by default.
5. Respondent has violated the Kansas Nurse Practice Act, K.S.A. 65-1120(a)(4) to be unable to practice with skill and safety due current abuse of drugs or alcohol; Respondent has violated K.S.A. 65-1120(a)(6) to be guilty of unprofessional conduct as defined by rules and regulations of the board; Respondent has violated K.A.R. 60-3-110(n) diverting drugs, supplies, or property of any patient or agency;

Respondent has violated K.A.R. 60-3-110(s) failing to complete the requirements of the impaired provider program of the board.

6. Costs of the action of \$70.00 are assessed to respondent to be paid to the Board by cash or money order within 30 days of the effective date of this order.
7. Respondent shall forward original Kansas L.P.N. license no. 24-026036-012 immediately to the Kansas State Board of Nursing.
8. 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

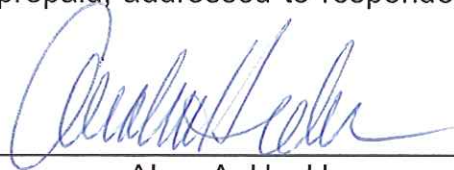
This is a proposed default order pursuant to K.S.A. 77-520. This order becomes effective if respondent does not file a written motion requesting that this order be vacated with the Board within ten days after the day this order is mailed. If a motion is timely filed, then a hearing will be set and notice given to respondent to appear. Another order will then be issued either vacating or affirming this order.



Alma A. Heckler
Assistant Attorney General
900 S.W. Jackson, Suite #1051
Topeka, Kansas 66612-1230
785/296-4325

CERTIFICATE OF SERVICE

On the 12th day of March, 2003, I mailed a copy of this order by depositing it with the United States Postal Service, postage prepaid, addressed to respondent at 927 N. Coolidge #5, Wichita, KS 67203.



Alma A. Heckler

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JAN 17 2003

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

Board of Nursing

In The Matter Of
CRYSTAL BALL
LICENSE NO. 24-026036-012

CASE NO. 00-282-5

PETITION

COMES NOW the petitioner, the Board of Nursing, by and through disciplinary counsel, Alma A. Heckler, and for its cause of action states that:

1. Respondent is licensed to practice nursing in Kansas as an L.P.N. through 1/31/2004.
2. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew licenses for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing or may issue a public or private censure if a violation of K.S.A. 65-1120(a) is established.
3. After an investigation, the Board found reasonable grounds for believing that respondent violated K.S.A. 65-1120(a) and referred the matter for further proceedings.

FACTS COMMON TO ALL COUNTS

The respondent was employed by a nursing home in Wichita, Kansas and she admitted to staff that she had diverted Lortabs belonging to a resident of the facility from approximately January of 1998 until her termination. The investigative Committee on 7/9/01 referred the respondent to the Kansas Nurses Assistance Program (KNAP). Respondent failed to follow through with her involvement in KNAP and was given additional time by KNAP to become compliant and has not provided any proof to the board, when requested by investigators to do so, of her attempts to become compliant. A review of respondent's KNAP file indicates that she has not been compliant with the program since January of 2002.

COUNTS

Respondent has violated the Kansas Nurse Practice Act, K.S.A. 65-1120(a)(4) to be unable to practice with skill and safety due current abuse of drugs or alcohol;

Respondent has violated K.S.A. 65-1120(a)(6) to be guilty of unprofessional conduct as defined by rules and regulations of the board;

Respondent has violated K.A.R. 60-3-110(n) diverting drugs, supplies, or property of any patient or agency;

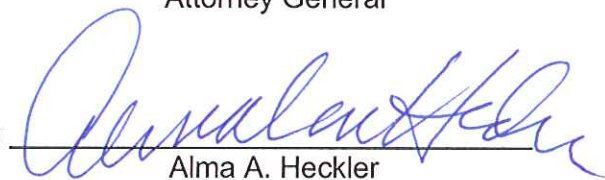
Respondent has violated K.A.R. 60-3-110(s) failing to complete the requirements of the impaired provider program of the board.

WHEREFORE, petitioner requests disciplinary action against and/or revocation of the respondent's license and for \$70 costs to be assessed to respondent.

Respectfully submitted,

Phill Kline
Attorney General

By: _____



Alma A. Heckler
Assistant Attorney General
Kansas State Board of Nursing
785-296-4325