



KANSAS STATE BOARD OF NURSING
MARY BLUBAUGH MSN, RN, EXECUTIVE ADMINISTRATOR

KATHLEEN SEBELIUS, GOVERNOR

February 24, 2006

Freida R. Maas
508 1/2 Main St.
Seneca, KS 66538

Case No. 05-698-9
License No. Applicant

SUMMARY ORDER

Dear Ms. Maas:

The Disciplinary Committee of the Kansas State Board of Nursing (KSBN) has reviewed your application materials. It is the decision of the Board that your endorsement application to practice nursing as a licensed registered nurse (RN) in Kansas is denied. This denial is based upon the following:

FINDINGS OF FACT

1. (a) Applicant was employed at Regency Place, 810 N. 18th, Marysville, KS 66508 from on or about April 11, 2005 to on or about July 25, 2005. Applicant functioned as a licensed nurse and Director of Nurses at Regency Place during this time period. Applicant provided on her employment application that she was licensed in the state of Texas as an RN.
 - (a) Applicant submitted an application to the Board for endorsement as a registered nurse in the State of Kansas on or about May 6, 2005. The application was not complete as Applicant did not answer two of the questions on the application. Applicant stated on the application that she was previously convicted of a felony or misdemeanor. Applicant did not provide a letter explaining the conviction as part of her application.
 - (b) On or about May 9, 2005 the KSBN sent a letter to Applicant explaining the information that was missing from the application.
 - (c) On or about June 14, 2005 Applicant submitted a second application. On or about July 6, 2005 KSBN received a letter explaining that the applicant was convicted of misdemeanor reckless driving on April 11, 2002 in Palo Pinto, Texas.
 - (d) On or about July 13, 2005 a 120 day temporary permit was issued to applicant, with a permanent license pending KSBN receiving copies of Applicant's nursing school transcripts and verification from her original state of licensure.
 - (e) KSBN investigation revealed that during July of 2005 Regency Place found prescription medications missing. As Director of Nursing Applicant was responsible for securing facility residents' unused prescriptions. On or about July 25, 2005 Applicant left Regency Place

LANDON STATE OFFICE BUILDING, 900 SW JACKSON ST., STE 1051, TOPEKA, KS 66612-1230

Voice 785-296-4929 Fax 785-296-3929 www.ksbn.org

and did not return. When Regency Place employees entered Applicant's office they determined that several unused narcotic prescription medications that had been located in the office were missing. The medications included Loratab, Roxinal and Duragesic.

(e) Physician's standing orders for G.R., a resident at Regency Place, were for Debrox ears gtts bilateral ears PRN x3days; irrigate after 3 days. Applicant stated that on May 18, 2005 Applicant first used hydrogen peroxide and a Q-tip to clean G.R.'s ears without a physician's order. Applicant then participated in "candling" G.R.'s ear without a physician's order. Witnesses provide that the procedures cause pain to G.R. and that G.R. had blood coming from one ear following the procedures.

CONCLUSIONS OF LAW

2. Pursuant to K.S.A. 65-1120(a), the Kansas State Board of Nursing may deny, revoke, limit or suspend any license, certificate of qualification or authorization to practice nursing as a registered professional nurse, as a licensed practical nurse, as an advanced registered nurse practitioner or as a registered nurse anesthetist that is issued by the board or applied for under this act or may publicly or privately censure a licensee or holder of a certificate of qualification or authorization, if the applicant, licensee or holder of a certificate of qualification or authorization is found to have violated the Nurse Practice Act. The above fact findings establish evidence that the applicant violated the following provisions of the Nurse Practice Act:

(a) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (n), diverting drugs, supplies, or property of any patient or agency.

(b) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (e), physical abuse, which shall be defined as any act or failure to act performed intentionally or carelessly that causes or is likely to cause harm to a patient.

(c) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (v), practicing without a license or while the license has lapsed.

3. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency when denying an application.


4. Your conduct described herein violates the Kansas Nurse Practice Act.

5. If you wish to dispute this matter, please let us know immediately by following the procedure for requesting a hearing. A copy of your application will be sent to you upon request.

6. Pursuant to K.S.A. 77-537, this decision, which is called a Summary Order, is subject to your request for a hearing. If you desire a hearing, you must submit or direct a written request for hearing to:

Kansas State Board of Nursing
Legal Division
900 SW Jackson, Suite 1051
Topeka, Kansas 66612-1230
(785) 296-4325

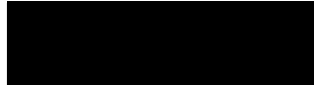
THIS REQUEST MUST BE SUBMITTED WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS ORDER. If a hearing is not requested in the time and manner stated above, this Summary Order becomes effective and final upon the expiration of the time for requesting a hearing.


Tamera Hutcnison, R.N., B.S.N.
Member, Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 24th day of February, 2006, the foregoing copy of the Summary Order was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Freida R. Maas
508 1/2 Main St.
Seneca, KS 66538



Mark A. Knight, #12183
Assistant Attorney General