

**FILED**

**AUG 27 2008**

**KSBN**

August 27, 2008

Misti F. Spor  
12499 Iris Rd  
Neosho, MO 64850

Case No. 08-442-0  
License No. Applicant

**SUMMARY ORDER**

Dear Ms. Spor:

The Investigative 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 registered nurse in Kansas is denied. This denial is based upon the following:

**FINDINGS OF FACT**

1. On or about 3/23/2006, Applicant was convicted of misdemeanor Driving While Intoxicated, in the Municipal Court of Joplin, MO.

On or about 5/28/2008, a discipline order was entered against Applicant's license to practice nursing in the state of Missouri by the Missouri Board of Nursing. The basis of the Missouri Board of Nursing discipline was the 3/23/2006 conviction for Driving While Intoxicated. As a part of the Missouri Board of Nursing discipline Applicant is required to complete conditions and requirements of the Missouri Board of Nursing.

On or about 5/5/2008, the KSBN received Applicant's endorsement application to practice nursing in the state of Kansas. In the endorsement application Respondent answered "No" to the question "Have you ever been convicted of a misdemeanor?"

**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)(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 other disciplinary action taken against the applicant or licensee by a licensing authority of another state, agency of the United States government, territory of the United States or country.

(b) K.S.A. 65-1120(a)(2) "to have been guilty of a felony or to have been guilty of a misdemeanor involving an illegal drug offense unless the applicant or licensee establishes sufficient rehabilitation to warrant the public trust..."

(c) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(d), inaccurately recording, falsifying, or altering any record of a patient or agency or of the board.

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 in whole or in part.

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

5. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

6. If you wish to dispute this matter, contact the Board immediately by following the procedure for requesting a hearing. A copy of your application will be sent to you upon request.

7. 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.



Tamara Hutchison, RN, BSN  
Investigative Committee, Chair  
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 27th day of August, 2008, 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:

Misti F. Spor  
12499 Iris Rd  
Neosho, MO 64850

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12499 Iris Rd  
Neosho, MO 64850



Mark A. Knight, #12183  
Assistant Attorney General