

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

AUG 7 2009

**IN THE MATTER OF
TONDRA J. RAMSEY**

License No.

KSBN

Case No. 09-228-0

SUMMARY ORDER

Now this 5th day of August, 2009, the above matter comes before the Kansas State Board of Nursing (Board) pursuant to authority granted to the Board by K.S.A. 65-1120. The Board hereby proposes to find facts and take disciplinary action against the registered nurse endorsement application of Tondra J. Ramsey (Applicant) by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. (a) Applicant submitted an endorsement application to practice nursing in the state of Kansas. The Board has jurisdiction over the Applicant and the subject matter of this action.

(b) Applicant's address of record is 1101 N. Farview Dr., Independence, MO 64056.

(c) Review of the Application and other information gathered by the Board revealed the following information upon which this action is based.

(d) On or about 3/3/2006, Applicant's Missouri nursing license was disciplined by the Missouri Board of Nursing pursuant to a Settlement Agreement. As a result of the disciplinary action, Applicant's Missouri nursing license was placed in a probationary status for two (2) years. Within the Settlement Agreement, Applicant stipulated to facts which read in part as follows:

"3. Licensee was employed as a registered nurse at North Kansas City Hospital ("North K.C") in North Kansas City, Missouri.

4. On or about January 27, 2005, Licensee demonstrated abnormal conduct and behavior, and pupil dilation while on duty at North K.C. During this time, Licensee was also slow to react.

5. On or about January 27, 2005, the family of a patient at North K.C. also complained that Licensee appeared to be impaired.

6. On or about January 27, 2005, Licensee submitted to a "for cause" urine drug screen at the request of management at North K.C.

7. The urine drug screen that Licensee submitted on January 27, 2005 tested positive for marijuana and propoxyphene.

8. At the time of the conduct described herein, Licensee did not possess a valid script for marijuana or any medication containing marijuana.

9. At the time of the conduct described herein, Licensee did not possess a valid script for propoxyphene or any medication containing propoxyphene.

10. On or about January 31, 2005, North K.C. terminated Licensee's employment for violation of its drug-free workplace policy.

11. Licensee's use of marijuana and propoxyphene impaired Licensee's ability to perform the work of a registered nurse."

(e) On or about 10/25/2006, Applicant's Missouri nursing license was revoked by the Missouri Board of Nursing. In revoking Applicant's license, the Missouri Board of Nursing found Applicant failed to undergo a thorough chemical dependency evaluation and have the results sent to the Missouri Board of Nursing.

(f) On or about 6/18/2008, Applicant's Missouri nursing license was re-issued and disciplined by the Missouri Board of Nursing. As a result of the disciplinary action, Applicant's Missouri nursing license was placed in a probationary status for five (5) years.

(g) On or about 4/7/2009, the KSBN received Applicant's endorsement application to practice nursing in the state of Kansas. Applicant Missouri nursing license continues to be in a probationary status.

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)(3), Professional Incompetency by K.S.A. 65-1120(e)(3), a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing.

(b) 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.

3. Applicant's conduct described herein violates the Kansas Nurse Practice Act.

4. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency if the use of summary proceedings does not violate any provision of law and the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties.

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

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT

1. Applicant's endorsement application to practice nursing in the state of Kansas is denied.

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, this Summary Order becomes effective as a final order, without further notice, upon the expiration of the time for requesting a hearing.

Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.



Janet Jacobs, LPN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 10th day of August, 2009, 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:

Tondra J. Ramsey
1101 N. Farview Dr.
Independence, MO 64056


Mark A. Knight, #12183
Assistant Attorney General