

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

MAR 15 2010

KSBN

**IN THE MATTER OF
ELIZABETH A. WULF**

License No.

Case No. 10-104-0

SUMMARY ORDER

Now on this 15th day of March, 2010, the above matter comes before the Kansas State Board of Nursing (Board) pursuant to authority granted to the Board by K.S.A. 65-1115 and 65-1120. The Board hereby proposes to make findings regarding the registered nurse endorsement application of Elizabeth A. Wulf (Applicant) by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. On or about December 7, 2009, the Board received Applicant's application for endorsement to practice nursing in the state of Kansas.
2. Applicant is licensed to practice as a registered nurse in Arizona, although the license is currently inactive.
3. Applicant's Arizona license is unencumbered following successful completion of Consent Agreement and Order number 0303075, dated September 18, 2003, that limited her license and placed it on probationary status for twenty four months.
4. Applicant's address of record is 6609 N. 149th Street, Omaha, NE 68116.
5. By letter dated March 1, 2010, counsel for the Board advised Applicant that the Board was willing to issue a license with restrictions during a probationary period.
6. By letter received by the Board on March 8, 2010, Applicant requested she be allowed to withdraw her application. She stated she no longer needs a Kansas license.

CONCLUSIONS OF LAW

7. The Board 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, upon making any of the findings listed in K.S.A. 65-1120(a).
8. The Board may deny, revoke, limit or suspend any license if the licensee or applicant has had "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." K.S.A. 65-1120(a)(8),

9. The Board may deny or limit Applicant's application for endorsement solely because Applicant's Arizona license has been limited. K.S.A. 65-1120(a)(8).
10. Applicant may not unilaterally withdraw her application in order to avoid adverse action.
11. The Arizona Order was successfully completed more than four years ago, and the Board has no knowledge of intervening misconduct or investigations in any state.
12. The role of the Kansas State Board of Nursing is to protect citizens of Kansas, and that interest would be served by allowing Applicant to withdraw her application by formal order.
13. K.S.A. 77-511(a)(2)(A) and 77-537 of the Kansas Administrative Procedure Act authorize 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.

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT Applicant's application for a license to practice nursing in the state of Kansas is withdrawn.

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 15th day of March, 2010, 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:

Elizabeth A. Wulf
6609 N. 149th Street
Omaha, NE 68116



Brenda J. Clary, #18770
Assistant Attorney General