

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

FEB 25 2011

KSBN

IN THE MATTER OF
JALEESA K. SHAMBURG
License No. none/applicant

Case No. 10-621-3

SUMMARY ORDER

Now this 28th day of February, 2011, 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 deny the initial LPN application of Jaleesa K. Shamburg by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. Applicant submitted an initial LPN application on 4/28/2010 to practice nursing in the state of Kansas. The Board has jurisdiction over the Applicant and the subject matter of this action.
2. Applicant's address of record is 317 W. 8th St. Beloit KS 67420.
3. On or about 4/28/2010, the Board received Applicant's initial LPN application to practice nursing in the state of Kansas.
4. Review of the Application and other information gathered by the Board revealed the following information upon which this action is based.
5. On her initial LPN application, Applicant answered "no" to the question, "Have you ever been convicted of a misdemeanor listed in KAR 60-3-113?"
6. Per Applicant's 5/12/2010 criminal background check, Applicant was arrested on or about 10/7/2008 by the Mitchell County Kansas sheriff's office. However, the final disposition of the arrest was not stated on the background check.
7. In a letter dated 6/30/2010, Applicant was informed by the Board that she needed to provide documents pertaining to her arrest in Mitchell County Kansas to determine if she had been convicted of a misdemeanor.
8. On or about 7/9/2010, the Board received the 6/30/2010 letter back as "return to sender, not deliverable as addressed."
9. On or about 7/12/2010, Kathleen Chalkley, Board investigator, attempted contact with Applicant by phone and left a voicemail. On 7/12/2010, Applicant contacted the Board by phone and provided a current address.

10. On or about 7/12/2010, the Board re-sent the 6/30/2010 letter to the current address provided by Applicant.
11. On or about 8/30/2010, Applicant was sent a "SECOND NOTICE," a copy of the 6/30/2010 letter requesting documents.
12. On or about 10/13/2010, Applicant was sent a "FINAL NOTICE," a copy of the 6/30/2010 letter requesting documents.
13. On or about 11/10/2010, Kathleen Chalkley, Board investigator, attempted contact with Applicant by phone and left a voicemail.
14. On or about 2/3/2011, Applicant's case was transferred to the Board's disciplinary counsel.
15. In a letter dated 2/4/2011, Applicant was informed that her case had been transferred to the Board's disciplinary counsel for further disposition. The 2/4/2011 letter was sent to Applicant's address of record as well as the address provided by the Applicant on 7/12/2010.
16. On or about 2/9/2011, the Board's disciplinary counsel attempted contact with Applicant by email and requested that Applicant contact the Board within 48 hours.
17. On or about 2/17/2011, the Board's disciplinary counsel attempted contact with Applicant by phone and left a voicemail.
18. To date, Applicant has not contacted the Board by mail, email, or phone and has not provided documents regarding her arrest in Mitchell County Kansas.

CONCLUSIONS OF LAW

1. 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 does not meet the requirements of the Nurse Practice Act as set out in the following provisions:
 - a. K.S.A. 65-1120(a)(6): to be guilty of unprofessional conduct as defined by rules and regulations of the board, by KAR 60-3-110(t), failing to furnish the board, its investigators, or its representatives with any information legally requested by the board.

POLICY STATEMENT


1. 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 initial LPN application, dated 4/28/2010, 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 28th day of February, 2011, 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:

Jaleesa K. Shamburg
317 W. 8th St.
Beloit KS 67420

Jaleesa K. Shamburg
506 Grant Street
Downs, KS 67437


Danielle Sanger #24587
Assistant Attorney General