

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED
MAR 10 2011

KSBN

**IN THE MATTER OF
MARIA L. PEREZ
License No. Applicant**

Case No. 10-1404-8

SUMMARY ORDER

Now this 10th day of March, 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 take disciplinary action against the endorsement application of Maria L. Perez by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. Applicant applied for endorsement in Kansas on 10/12/2010. The Board has jurisdiction over the Applicant and the subject matter of this action.
2. Applicant's address of record is 3064 N Geronimo Ave, Tucson AZ 85705.
3. On or about 10/12/2010, the Board received Applicant's endorsement 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. In a letter dated 10/12/2010, the Board notified Applicant that her application could not be processed due to the Board not receiving a fingerprint waiver agreement. To date, there has been no fingerprint waiver agreement received.
6. Applicant submitted a check drawn on Applicant's personal checking account dated 10/7/2010, in the amount of \$125.00 to pay the endorsement application fee and fingerprint fee. The check was returned by the financial institution for insufficient funds. The Applicant was notified of the returned insufficient funds check and the \$30.00 return check service fee by letter dated 10/22/2010. To date, there has been no money order received for payment of the fees.

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 violated the following provisions of the Nurse Practice Act:

- a. K.S.A. 65-1120(a)(1), to be guilty of fraud or deceit in practicing nursing or in procuring or attempting to procure a license to practice nursing;
2. K.S.A. 77-511(a)(2)(A) and K.S.A. 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.

POLICY STATEMENT


1. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.
2. Truthfulness is a hallmark of the nursing profession and is required to ensure accurate communication of all nursing actions.

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

1. **Applicant's endorsement application, dated 10/12/2010, 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 March, 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:

Maria Perez
3064 N Geronimo Ave
Tucson, AZ 85705



Danielle Sanger #24587
Assistant Attorney General