

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

MAY 23 2011

**IN THE MATTER OF
PAMELA S. GOODMAN
License No. 23-20509-032**

KSBN

Case No. 05-716-9, 09-873-9

SUMMARY ORDER

Now this 23rd day of May, 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 licensed practical nurse license of Pamela S. Goodman, (Licensee) by way of Summary Order as provided by K.S.A. 77-537.

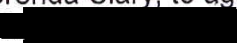
FINDINGS OF FACT

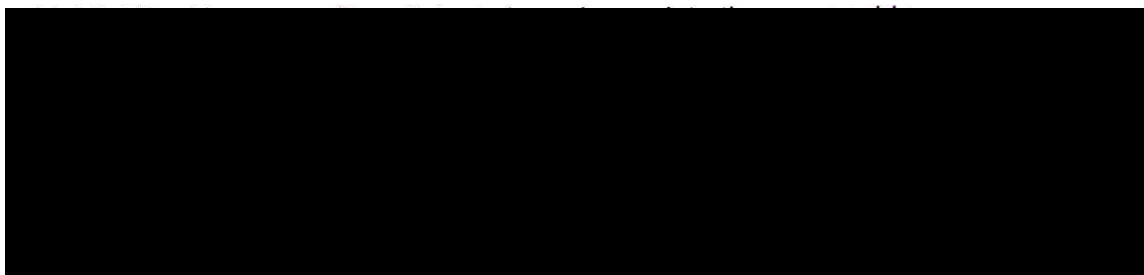
1. On or about 4/1/2003 while employed as a nurse at Overland Park Regional Medical Center, respondent acted impaired while on duty. Staff noticed that respondent fell asleep while talking to them, had to be roused with difficulty to get up to take care for patients, was lethargic, and had slurred speech. During respondent's shifts there was increased narcotics administered for the patients.

2. On or about 12/10/2006, Respondent entered a Diversion Agreement with the Kansas State Board of Nursing to resolve the above captioned case.

3. In the above mentioned Diversion Agreement, Respondent agreed to participate in and complete the reasonable recommendations and requirements of the Kansas Nurses Assistance Program (KNAP).

4. In the above mentioned Diversion Agreement, Respondent agreed that should the Respondent be found to have violated the Diversion Agreement the Respondent could not contest the following established violations: (a) K.S.A. 65-1120(a)(6) to be guilty of unprofessional conduct as defined by rules and regulations of the board; by K.A.R. 60-3-110(n) diverting drugs, supplies, or property of any patient or agency.

5. On or about 5/26/2010 the Respondent entered a second Diversion Agreement with the Board, who was represented by Brenda Clary, to again attempt to resolve the above captioned case. Respondent agreed 



[REDACTED]

6. [REDACTED] violated the May 26, 2010 Diversion Agreement.

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:

Count 1: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (s)

[REDACTED]

Count 2: K.S.A. 65-1120(a)(6) to be guilty of unprofessional conduct as defined by rules and regulations of the board; by K.A.R. 60-3-110(n) diverting drugs, supplies, or property of any patient or agency.

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

4. Licensee's conduct described herein violates the May 26, 2010 Diversion Agreement in case number 05-716-9 and 09-873-9.

5. 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, 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, and the state agency believes in good faith, after investigation of the facts, that the allegations will be supported to the applicable standard of proof.

6. 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. The Board finds a violation of the Diversion Agreement in case number 05-716-9 and 09-873-9, dated May 26, 2010.


2. Licensee's license to practice nursing in the state of Kansas is revoked beginning on the effective date of this summary order.

3. Licensee shall not practice nursing in the state of Kansas.

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. If a hearing is requested, the prior issuance of a summary order shall not affect the burden of proof.

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.

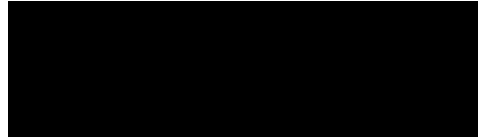


Janet Jacobs, LPN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 24~~th~~ day of May, 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:

Pamela S. Goodman
520 North 2nd Street
Atchison, KS 66002



Alma A. Heckler, #11555
Assistant Attorney General