

BEFORE THE KANSAS STATE BOARD OF NURSING
Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

IN THE MATTER OF
ADRIANE M. FARR
License No. RN Endorsement Applicant

Case No. 12-2202-3

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PROPOSED DEFAULT ORDER TO DENY LICENSE

NOW ON THIS 3rd day of September 2015, petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Michael R. Fitzgibbons, Assistant Attorney General, for a Hearing on the Petition. Respondent does not appear.

Wherefore, the Presiding Officer finds as follows:

1. Respondent is licensed to practice nursing in Kansas. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent was sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper. Respondent does not appear.
3. Petitioner moves for issuance of a proposed default order revoking respondent's license. The petitioner's request is granted by default pursuant to K.S.A. 77-520.
4. The petition is hereby granted and incorporated into this order as if set forth herein. Respondent violated the Nurse Practice Act as alleged in the petition.
5. Per Petitioner's request, Respondent's request to license to practice nursing is denied. Respondent may not practice nursing in Kansas.
6. Costs of the action of \$100 are assessed to respondent to be paid to the board by cash or money order within 30 days of the effective date of this order.
7. Respondent shall immediately forward his or her original Kansas nursing license to the Kansas State Board of Nursing.

8. This Proposed Default Order shall become effective seven days after service or ten days after mailing of this order unless the Respondent files a written motion with the Board stating why the Proposed Default Order should be vacated and the order is then vacated.

9. If this Proposed Default Order becomes effective, the Respondent's request for administrative hearing is dismissed pursuant to K.S.A. 77-520(d).

10. Disciplinary counsel shall mail a copy of this proposed default order to respondent's last known address.

IT IS SO ORDERED.



Sandra Sharon, Presiding Officer
Office of Administrative Hearings
1020 S Kansas Ave.
Topeka, KS 66612-1327

NOTICE

Pursuant to K.S.A. 77-527, either party may request a review of this order by filing a petition for review with the Kansas State Board of Nursing. The petition for review shall state its basis. A petition for review must be filed within 7 days from the date this order becomes effective. Failure to timely request a review by the Kansas State Board of Nursing may preclude further judicial review. The petition for review shall be mailed or personally delivered to: State Board of Nursing - Legal Division, Landon State Office Building, 900 SW Jackson, Ste 1051, Topeka, KS 66612-1230.

Pursuant to K.S.A. 77-530, if neither party requests a review by the Kansas State Board of Nursing, then this initial order becomes final and binding on both parties on the 30th day following its service.

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

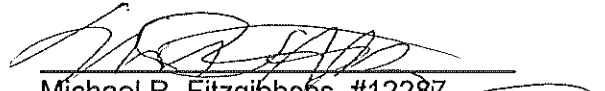


Michael R. Fitzgibbons, #12287
Disciplinary Counsel
Kansas State Board of Nursing
900 S.W. Jackson, Suite #1051
Topeka, KS 66612-1230
785-296-4325

CERTIFICATE OF SERVICE

I certify that on the 8th day of September, 2015, the foregoing copy of the PROPOSED DEFAULT ORDER TO DENY LICENSE was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Adriane M. Farr
309 W. Patricia Court
Stewartsville, Missouri 64490


Michael R. Fitzgibbons, #12287
Assistant Attorney General

BEFORE THE KANSAS STATE BOARD OF NURSING
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Topeka, Kansas 66612-1230

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**IN THE MATTER OF
ADRIANE M. FARR
License No. RN Endorsement Applicant**

JAN 06 2015

KSBN

Case No. 12-2202-3

PETITION

COMES NOW the petitioner, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Alma A. Heckler, and for its cause of action states that:

1. Applicant, Adriane M. Farr, filed an endorsement application to practice nursing in Kansas on or about 12/22/2014. The Board has jurisdiction over the applicant and the subject matter of this action.
2. Applicant's address of record is 309 W. Patricia Court, Stewartville, Missouri 64490.
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that the applicant violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
4. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120(a) is established.

FACTS COMMON TO ALL COUNTS

5. The facts below are common to all counts:
 - (a) Applicant filed an endorsement in 2012 and was issued a temporary permit on 9/19/2012. The temporary permit expired 1/17/2013.

(b) Applicant while employed by Supplemental Health Care and was assigned to St. Francis Hospital in Topeka, Kansas on 9/26/2012. On or about 11/15/2012, applicant was assigned to a patient but could not be found on the floor. Patient was assigned to another nurse. Applicant removed dilaudid from the medication room for the patient she was not assigned to. Applicant was found by staff in a bathroom by the charge nurse. Applicant was nodding off. Applicant asked the charge nurse to waste the dilaudid. The charge nurse asked the applicant to go back on the floor and start an IV. Charge nurse noticed that the applicant was back off the floor. When she was found, the applicant had an unsteady gait, she was pale and her speech was slurred.

(c) The facility requested a drug screen but the applicant declined. When asked to explain why the applicant had pulled dilaudid for a patient without an order. She said it was in error and should have pulled hydrocodone and did not give any dilaudid. Applicant refused a bed at the facility. Omnicell records were pulled and multiple medication discrepancies were discovered. Applicant's employment was terminated.

(d) Applicant did complete a drug screen on 11/7/2012 and it was positive for marijuana.

(e) Applicant's temporary permit expired and lapsed on 1/17/2013. Case No. 12-2201-3 was closed because her license lapsed. Board decided to not pursue discipline unless she filed a new application. Her 2012 endorsement application was inactivated.

(f) Applicant's 2014 endorsement application does not show any attempt to seek treatment or to otherwise address drug diversion and concerns about her use of drugs while working. Applicant's 2014 endorsement application does not list her former employer Supplemental Health Care.

VIOLATIONS

6. Applicant has violated the Kansas Nurse Practice Act as follows:

Count 1: K.S.A. 65 1120(a)(4) to be unable to practice with skill and safety due to current abuse of drugs or alcohol;

Count 2: K.S.A. 65-1120(a)(6), unprofessional conduct, by diverting drugs, supplies, or property of any patient or agency; K.A.R. 60-3-110(n);

Count 3: K.S.A. 65-1120(a)(6), unprofessional conduct, by leaving an assignment that has been accepted, without notifying the appropriate authority and allowing reasonable time for replacement; K.A.R. 60-3-110(l);

WHEREFORE, petitioner requests a finding that the applicant has violated the Nurse Practice Act, that applicant's license to practice nursing in Kansas be denied, and that costs of this action be assessed to the applicant in the at least the amount of \$70.00.

Respectfully submitted,

Derek Schmidt
Kansas Attorney General

By: 

Alma A. Heckler, #11555
Assistant Attorney General
Kansas State Board of Nursing
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Topeka, KS 66612