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BEFORE THE KANSAS STATE BOARD OF NURSING

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

EFFECTIVE AS A
FINAL ORDER

DATE: February 14, 2017

IN THE MATTER OF LOIS REYNOLD

License No 23-30024-042

Case No. 16-289-0

SUMMARY ORDER

Now on this 27TH day of January, 2017, this matter comes before the Kansas State Board of Nursing (Board) pursuant to authority granted to the Board by K.S.A. 65-1106 and K.S.A. 65-1120, to find facts and take disciplinary action against the Licensee, Lois Reynold, by way of Summary Order pursuant to K.S.A. 77-537. Upon review, the following findings of fact, conclusions of law and order are made for and on behalf of the Board:

FINDING OF FACTS

1. Licensee's address of record is 7508 Sterling Ave, Raytown, MO 64138.
2. Licensee is currently admitted to practice as an LPN in the state of Kansas. The Board has jurisdiction over the Licensee and the subject matter of this action.
3. On March 17, 2016, Licensee submitted an online renewal application.
4. On Application, Licensee answered "no" to "Have you ever been convicted of a misdemeanor listed in KAR 60-3-113?"
5. Licensee's criminal record provides that on or about July 29, 2002, Licensee was convicted of misdemeanor resisting arrest.
6. Licensee additionally failed to disclose the misdemeanor conviction on her initial application and on her 2010, 2012, and 2014 renewal applications.
7. Licensee was notified after her initial application was submitted that she must answer "yes" to the misdemeanor conviction question on future applications.
8. Licensee had signed an agreement and paid a fine in KSBN case #12-443-0 for a second offense of false/inaccurate reporting on an application.

9. On or about May 20, 2014, the Board mailed Licensee a letter instructing her "... you are **REQUIRED** to answer **"YES"** to the **FELONY, MISDEMEANOR CONVICTIONS & LICENSE DISCIPLINE** questions on any/all future nursing application submitted to KSBN."

10. The 2016 omission is Licensee's forth offence of false/inaccurate reporting on an application.

11. On or about March 21, 2016, a KSBN investigator in a letter to Licensee requested an explanatory letter from Licensee. Licensee did not respond to the request.

APPLICABLE LAW

12. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106(c)(4) and K.S.A. 65-1120(a) to examine, license, renew or reinstate licenses and may limit, deny, suspend or revoke a license or authorization to practice nursing, and may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110.

13. After an investigation, the Board's investigative committee found reasonable grounds to believe the Licensee violated K.S.A. 65-1120 of the Kansas Nurse Practice Act, and referrer this matter for further proceedings.

VIOLATIONS

14. 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.

15. K.S.A. 65-1120(a)(6) and K.A.R.60-3-110(d), unprofessional conduct by inaccurately recording, falsifying, or altering any record of a patient or agency or of the board.

16. K.S.A. 65-1120(a)(6) and K.A.R.60-3-110(u) unprofessional conduct by failing to furnish the board, its investigators, or its representatives with any information legally requested by the board.

17. K.S.A. 65-1120(a)(3) to have committed an act of professional incompetency as defined in (e)(3) as a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing.

CONCLUSIONS OF LAW

18. The Board has jurisdiction over the Licensee and the subject matter of this action, and such proceeding is held in the public interest.

19. The presiding officer whose signature appears below has been designated by the Board pursuant to K.S.A. 77-514 to act on behalf of the Board to act as a hearing officer and to execute orders, including summary orders.

20. The Board adopts the above Facts and Violations and finds Licensee violated the Kansas Nurse Practice Act; K.S.A. 65-1120 as stated above.


21. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106(c)(4) and K.S.A. 65-1120(a) to examine, license, renew or reinstate licenses and may limit, deny, suspend or revoke a license or authorization to practice nursing, and may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110 for violation of the Kansas Nurse Practice Act.

22. Based on the facts and circumstances set forth, the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings does not violate any provision of the law and the protection of the public interest does not require the Board give notice and opportunity to participate to persons other than Applicant.

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

- 1. Lois Reynold's license to practice nursing in Kansas is hereby suspended.**
- 2. Licensee must pay a fine of \$400 within 90 days of effective date of this order.**
- 3. The Board will lift Licensee's suspension after she completes 1) the two hour CNE on the Kansas Nurse Practice Act available through Via Christi Medical and 2) four hours of CNE on Ethics and provides proof of completion to the Board.**

4. Licensee shall pay the cost of this action in the amount of \$100 within 30 days of the effective date of this order.


Judith Hiner, RN, BSN
Presiding Officer
Investigative Committee Chair
Kansas State Board of Nursing

Correspondence can be mailed to:
Kansas State Board of Nursing
Attn: Legal Department
900 SW Jackson, Suite 1051
Topeka, KS 66612


NOTICE OF RIGHTS

Pursuant to K.S.A. 77-537, this Summary Order shall become effective as a Final Order, without further notice, if no hearing is requested within fifteen (15) days of service. 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. 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.

CERTIFICATE OF SERVICE

I certify that on the 27th day of January, 2017, the foregoing copy of the Summary Order was severed by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Lois Reynolds
7508 Sterling Ave
Raytown, MO 64138


Michelle David # 26982
Special Assistant Attorney General

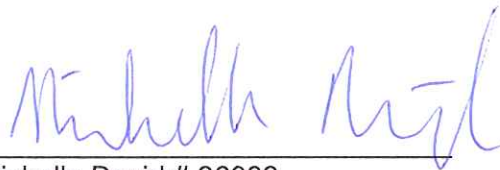
NOTICE

PLEASE TAKE NOTICE that this is a Final Order. A party to an agency proceeding may seek judicial review of a Final Order by filing a petition in the District Court as authorized by K.S.A. 77-601, *et seq.* A petition must be filed within 30 days following service of the Final Order. A copy of any petition for judicial review must be served upon Mary Blubaugh, Executive Administrator, Kansas State Board of Nursing, 900 SW Jackson, Suite 1051, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I certify that on the 22nd day of February, 2017, the foregoing copy of the Summary Order, now a Final Order was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Lois Reynolds
7508 Sterling Ave
Raytown, MO 64138



Michelle David # 26982
Special Assistant Attorney General