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KSBN

KANSAS STATE BOARD OF NURSING
MARY BLUBAUGH MSN, RN, EXECUTIVE ADMINISTRATOR

KATHLEEN SEBELIUS, GOVERNOR

November 14, 2006

Estelle M. Weidenbach
719 W New Hampshire
Osborne, KS 67473

Case No. 05-512-3, 97-696-3
License No. 23-014816-111

SUMMARY ORDER

Dear Ms. Weidenbach:

The Disciplinary Committee of the Kansas State Board of Nursing (KSBN) has reviewed your application materials. It is the decision of the Board that your reinstatement application to practice nursing as a licensed practical nurse in Kansas is denied. This denial is based upon the following:

FINDINGS OF FACT

1. (a) On or about October of 1997 Applicant voluntarily entered the Kansas Nurses Assistance Program due to abuse of Vicodin and Xanax.
- (b) On or about 11/30/1997 Applicant allowed her license to practice nursing in Kansas to Lapse.
- (c) On or about 12/30/1997 [REDACTED] advised that Applicant's case with [REDACTED] was closed for non-compliance. The non-compliance issues included failure to obtain a UDS collector, [REDACTED]
- (d) On or about 5/2/2005 Applicant completed an LPN Refresher Course.
- (e) On or about 5/2/2005 Applicant began working as a nurse at Parkview Care Center, Osborne, Kansas. On or about 5/21/2005 Applicant ended her employment as a nurse at Parkview Care Center.
- (e) On or about June 6, 2005 Applicant submitted a completed application for reinstatement of her license to practice nursing in Kansas. Applicant stated in the application that she had not worked as a nurse in the state of Kansas within the past five years.

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

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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.

(b) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (v), practicing without a license or while the license has lapsed.

(c) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (s) failing to complete the requirements of the impaired provider program of the board.

3. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency when denying an application in whole or in part.

4. Your conduct described herein violates the Kansas Nurse Practice Act.

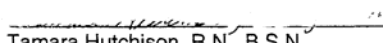
5. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

6. If you wish to dispute this matter, contact the Board immediately by following the procedure for requesting a hearing. A copy of your application will be sent to you upon request.

7. 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 above, this Summary Order becomes effective and final upon the expiration of the time for requesting a hearing.



Tamara Hutchison, R.N., B.S.N.
Member, Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 14th day of November 2006, 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:

Estelle M. Weidenbach
719 W New Hampshire
Osborne, KS 67473

Mark A. Knig... #2183
Assistant Attorney General