

# Kansas State Board of Nursing



Filed  
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Board of Nursing

February 2, 2004

Mark Corcoran  
309 N. East St.  
Oberlin, KS 67749

## SUMMARY ORDER

Dear Mr. Corcoran:

The Disciplinary Committee of the Kansas State Board of Nursing has reviewed your request to revise the Diversion Agreement and Order dated 8/4/2000 in which your nursing license is limited to no practice with children. Although you have provided documentation that probation is completed and the sex offender therapy has been concluded, the limitation shall remain upon your license. This is a limitation on your license and is shown as an L on your license card. **The L will be a permanent limitation through all renewal periods** and is based upon the following:

### FINDINGS OF FACT

1. Respondent has a current license with a limitation to no practice with children through a Diversion Agreement and Order of 8/4/2000.
2. The licensee was convicted on Oct 20, 1999 in Decatur County Case 99-CR-64 of Attempted Aggravated Indecent Liberties with a Child, in violation of K.S.A. 21-3301, a Level 5 Person Felony. (Certified Copy of Journal Entry attached)
3. The court case has not been appealed.
4. The Diversion agreement stated that licensee could petition the Board to have the restriction lifted once he completed probation and completed sex offender treatment.

### CONCLUSIONS OF LAW

5. K. S. A. 65-1120(a) provides that the board may limit any license, the ground to limit this license is found:  
  
(2) To have been guilty of a felony... unless the applicant or licensee establishes sufficient rehabilitation to warrant the public trust
6. 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.

Landon State Office Building  
900 S.W. Jackson, Suite 1051  
Topeka, Kansas 66612-1230  
785-296-4929  
FAX 785-296-3929

Executive Administrator  
785-296-5752  
ksbn0@ink.org

Education Specialists  
785-296-3782  
ksbn1@ink.org

Practice Specialist  
785-296-8401

Assistant Attorney General  
Disciplinary Counsel  
785-296-4325

7. Your conduct described herein violates the Kansas Nurse Practice Act.
8. If the information provided is incorrect, or if you wish to dispute this matter, please let us know immediately by following the procedure for requesting a hearing. A copy of your application will be sent to you upon request.
9. Pursuant to K.S.A. 1992 Supp 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.

  
Kelly Arpin, L.P.N.  
Board Member

CERTIFICATE OF SERVICE

I certify that on the 2nd day of February, 2004, 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:

Mark Corcoran  
309 N. East St.  
Oberlin, KS 6774

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Betty Wright  
Assistant Attorney General