



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

KATHLEEN SEBELIUS, GOVERNOR

February 28, 2006

Necole M. Johnson  
1615 Shawnee Street  
Leavenworth, KS 66048

Case No. 05-611-9  
License No. 23-025242-051

**SUMMARY ORDER**

Dear Ms. Johnson:

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 license to practice nursing as a licensed registered nurse (LPN) in Kansas is revoked. This revocation is based upon the following:

**FINDINGS OF FACT**

1. (a) Applicant submitted an online application for a renewal of her LPN license received by the Board on or about May 31, 2005.  
(b) Applicant provided in the application for renewal that she completed Continuing Nursing Education (CNE) offering "General Biology" for seventy-two hours of CNE.  
(c) On or about June 1, 2005 Applicant was notified that she was the subject of a random CNE Audit. Applicant was required to send copies of her CNE certificates for the renewal period listed in her application.  
(d) Applicant was advised that she had until June 22, 2005 to submitted CNE certificates.  
(e) On or about August 10, 2005 Applicant advised a Kansas State Board of Nursing investigator that she never completed the "General Biology" class that she listed on her renewal application. Applicant advised that she had completed other CNE and would submit those certificates.  
(f) As of February 13, 2006, Applicant has submitted no CNE certificates for the renewal period in question.

**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 (b), K.S.A. 65-1117 and K.A.R. 60-9-106, assuming duties and responsibilities within the practice of nursing without making or obtaining adequate preparation or maintaining competency by failing to submit proof of completion of 30 contact hours of approved Continuing Nursing Education.

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.

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

5. 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.

6. 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.

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

CERTIFICATE OF SERVICE

I certify that on the 28<sup>th</sup> day of February, 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:

Necole M. Johnson  
1615 Shawnee Street  
Leavenworth, KS 66048



Mark A. Knight, #12183  
Assistant Attorney General