

September 4th, 2007

Amy J. Lawrence
515 West 30th Apt. #3
Wichita, KS 67204

Case No. 06-813-9, 05-368-9
License No. 23-028884-011

SUMMARY ORDER

Dear Ms. Lawrence:

The Investigative 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) Respondent submitted an application to the Board for reinstatement as a licensed practical nurse in the State of Kansas on July 23, 2007.

(b) Respondent has an expired LPN license No. 28884011 in the State of Kansas. Respondent has two pending disciplinary cases, #06-813-9 and 05-386-9. In Case No. 05-386-9 the Respondent worked at Meadowlark Hills of Manhattan, Kansas and repeatedly diverted Lortab from the supply belonging to a resident. An internal audit at the facility revealed Lortab and Darvocet access and documentation inconsistencies from 2/18/2005 through 2/28/2005. When interviewed by the Riley County Sheriff's Department on 3/19/2005, the Respondent admitted to diverting the Lortab for her personal use.

(c) On 12/13/2005 Respondent was referred to KNAP, the Kansas Nurse Assistance Program by the KBON Disciplinary Committee for a drug and alcohol evaluation and directed to complete three (3) hours of Continuing Nurses Education on negligence, to be completed by 3/31/2006. Respondent agreed to complete the CNE on 12/29/2005. The respondent failed to notify the Board of a change of address and information about her referral to KNAP was resent to the corrected address in March 2006. Respondent failed to complete the CNE and/or provide documentation of the completion of the CNE to the Board. KNAP closed Respondent's file on 4/20/2006 for her failure to contact KNAP.

(d) In Case No. 06-813-9, Respondent was reported to KBON for negligence, failure to follow policy and procedure. She was sleeping on the job according to witnesses at the Enterprise Estates Nursing Center on or about 9/19/2006. Respondent reported a prior conviction for possession in 1989 on her employment application. The conviction has not been reported to KBON on prior licensing applications. Respondent was described by several staff

as alternatively flighty and lethargic. Respondent abandoned the medication cart in the visitor's bathroom. Respondent had no idea where she had left it. She had difficulty even signing her name or following a conversation. Respondent was asked to resign and provide a written statement. The facility reported she did not provide a letter of resignation. Respondent was again referred to KNAP and again failed to contact KNAP. Respondent has not demonstrated her fitness to practice nursing.

CONCLUSIONS OF LAW

2. (a) K.S.A. 65-1120(a)(4), to be unable to practice with skill and safety due to current abuse of drugs or alcohol.

(b) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (c), failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.

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

(d) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (m), engaging in conduct related to licensed nursing practice that is likely to deceive, defraud, or harm the public.

(e) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (r), failing to comply with any disciplinary order of the board.

(f) 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.

(g) K.S.A. 65-1120(a)(3), Professional Incompetency by K.S.A. 65-1120(e)(3), a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing.

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

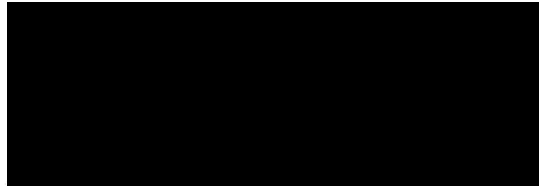


Judith Hiner, RN, BSN, CNA
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 5th day of September, 2007, 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:

Amy J. Lawrence
515 West 30th Apt. #3
Wichita, KS 67204



Alma A. Heckler, #11555
Assistant Attorney General