

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**FILED**  
**AUG 2 2006**

**KSBN**

**IN THE MATTER OF**  
**LACE M. MORFORD**  
**License No. 23-032979-082**

**Case No. 04-897-2**

**CONSENT AGREEMENT AND FINAL ORDER**

NOW ON THIS 31<sup>st</sup> day of July, 2006, the Kansas State Board of Nursing, represented by Assistant Attorney General, Mark A. Knight, and the Licensee, Lace M. Morford, hereby enter into this agreement and proffer evidence and the hearing officer adopts those recommendations and makes the following findings of fact and orders:

**AGREED FINDINGS OF FACT**

1. Licensee is licensed to practice nursing in Kansas through 8/31/2006 as a Licensed Practical Nurse. Licensee has made application for licensure as a Registered Nurse. The Kansas State Board of Nursing (Board) has jurisdiction over the Licensee and the subject matter of this action.
2. Licensee's address of record is 1000 East 9th Street, Colby, KS 67701.
3. The Licensee understands that pursuant to K.S.A. 77-515, Licensee may be represented at Licensee's expense by, an attorney during these proceedings.
4. After an investigation, the Board's investigative committee found reasonable grounds to believe that the Licensee violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
5. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120(a) is established.

6. (a) Licensee was employed at Citizens Medical Center, Colby, Kansas since approximately August 1998. On or about 7/15/2004 Dr. R. Ketting was working in the ER at Citizens Medical Center, Colby, Kansas. Dr. Ketting reports that he believes that his wallet and contents including a credit card was taken from his vehicle while he was on duty. Dr. Ketting advised that during July, August and September of 2005 that over \$4000.00 of merchandise was charged without his consent to a credit card that had been in his missing wallet.

(b) Dr. Ketting advised that he received credit card statements showing the purchase of among other things, a computer, vacuum cleaner, camera, and a camcorder that he did not authorize.

(c) Dr. Ketting advised that on or about April or May of 2005 he had occasion to be in the home of the Licensee. Dr. Ketting advised that while there he observed several items that he recognized from the credit card statements. Dr. Ketting advised that he took photographs of the items in the Licensee's home and was able to match unauthorized purchases on his credit card statements to the following items he observed in the Licensee's home: a computer; vacuum cleaner; camera; and a camcorder.

(d) On or about August 23, 2005, the Licensee was charged in Thomas County, Kansas District Court case number 05CR264, with one count of felony Unlawful Use of Financial Card and five counts of Misdemeanor Unlawful Use of Financial Card with Dr. Ketting named as the victim of all counts.

(e) Licensee entered an agreement in Thomas County, Kansas District Court case number 05CR264. The Licensee agreed to make restitution in exchange for the charges against her being dismissed. On or about June 20, 2006 Thomas County, Kansas District Court case number 05CR264 was dismissed pursuant to the agreement.

7. The above incidents are violations of the nurse practice act. The Licensee agrees that the board is prepared to prove that Licensee has violated:

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.

8. Licensee has the right to a hearing with evidence and witnesses and to seek review of the findings from that hearing in accordance with the Kansas Administrative Procedure Act and the Act for Judicial Review and Civil Enforcement of agency actions. Licensee is waiving those rights and voluntarily entering into this agreement instead of proceeding to such a hearing.

#### **CONCLUSIONS OF LAW**

9. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120(a) is established.

10. Licensee has violated the Kansas Nurse Practice Act as follows:

Count 1: 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.

#### **POLICY STATEMENT**

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

#### **DISPOSITION**

12. By entering into this Consent Agreement and consenting to the entry of the Final Order, both parties waive their right to full administrative proceedings pursuant to K.S.A. 65-1120(b) and K.S.A.77-501 et seq. and to judicial review.

13. Based upon this agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that this Consent Agreement will continue through any renewal periods of Licensee's nursing licenses until Licensee completes each of the conditions

and requirements of this agreement. **Upon the parties entering into this Consent Agreement and with the Licensee having met all statutory requirements for licensure as a registered professional nurse in the state of Kansas, the Licensee's application for licensure as a registered professional nurse will be granted.** The Kansas State Board of Nursing will not take disciplinary action against Licensee's nursing licenses for the violations stated above as long as Licensee meets the following requirements:

- (a) **Licensee shall send her current License Practical Nurse card to the KSBN. Licensee shall receive a Licensed Practical Nurse license card which shall be issued with an "L" indicating the limitations on the practice.**
- (b) **Licensee shall receive a Registered Nurse license card which shall be issued with an "L" indicating the limitations on the practice.**
- (c) **Licensee shall not seek or accept employment with a home health care service or agency, or as a private duty nurse without prior written consent of the Board during the term of this agreement.**
- (d) **The Licensee shall immediately inform all employers and prospective employers of this Consent Agreement and the Final Order.**
- (e) **Licensee shall send a money order for \$70 to the Board upon entering into this agreement to pay the cost of this action.**
- (f) **Licensee shall not violate the Kansas Nurse Practice Act during the duration of this agreement.**
- (g) **Licensee shall not violate the laws of the United States, of State, or of any political subdivision of any State during the term of this agreement.** Traffic infractions shall not be considered violations of the law.
- (h) **Submit Reports from the licensee's employer to the attention of the Legal Division, Kansas State Board of Nursing, Landon State Office Building, 900 S.W. Jackson, Suite 1051, Topeka, Kansas 66612-1230 on the following schedule.**

Prior to licensee securing employment that utilizes his or her nursing license, licensee is to mail to the Kansas State Board of Nursing a statement indicating that licensee has not yet secured employment which utilizes licensee's nursing license. This statement is due by the 10th day of each month beginning the next month after signing this consent agreement.

Once licensee is employed in a position that utilizes his or her nursing license, or if licensee is currently employed in a position that utilizes his or her nursing license, a nursing performance report is due by the 10th day of every third Month until licensee has caused the submission of four (4) separate nursing performance reports. The report shall be prepared and signed by licensee's immediate supervisor or by an R.N. who evaluates licensee's performance on a regular basis and be based on the following guidelines:

1. Incorporation of information on facility letterhead stationary is preferred.
2. Letter format is acceptable, with the date of the report identified.
3. Evaluator's name, telephone number, address, license number and nursing credentials.
4. Licensee's name, address, telephone number, license number.
5. A short explanation of the licensee's work performance in the following areas.
  - a. standards met regarding facility policies and procedures
  - b. compliance with the Kansas Nurse Practice Act
  - c. supervisor evaluations
  - d. overall appropriateness
  - e. interactions with patients
  - f. interactions with staff and administration

(i) Licensee agrees to **notify the Legal Division of any changes in address and phone number as well as all employment terminations or employer changes or additions.**

All such notifications shall be made in writing within fourteen (14) days of such a change.

(j) **This agreement will be satisfied once the Licensee has caused the submission of four (4) separate nursing performance reports pursuant to the schedule set forth in paragraph (h) of this Consent Agreement if Licensee has complied with all conditions and requirements of this agreement.**

(k) **The limitations on Licensee's licenses will removed and the Licensee issued new license cards with an "L" when Licensee has completed all conditions and requirements of this agreement and makes a written request of the KSBN that the limitations be removed from her licenses.**

(k) Licensee is responsible for the costs related to satisfying these conditions and requirements.

14. If Licensee does not meet these requirements, then Kansas State Board of Nursing may request additional sanctions against Licensee's license or application for a license. Licensee would be sent notice of such action and would be entitled to a hearing as to whether Licensee had complied with this agreement, but Licensee could not contest the violations listed in this agreement.

15. The Board will inactivate this case file once Licensee satisfies this agreement. This agreement does not prohibit the agency from taking disciplinary action against Licensee's license for any additional or cumulative violation of the Nurse Practice Act committed by the Licensee before or after this agreement is entered into.

16. This agreement is a contract entered into by the parties to resolve case number 04-897-

2. The original of this agreement shall be placed in the Agency Record and is a public record.

17. By signing this Consent Agreement, Licensee acknowledges that Licensee has read and understands the entire document, and agrees to be bound by its terms. This Consent

Agreement constitutes the entire agreement of the parties and may not be modified except in writing and approved by all parties.

18. After successful completion of all of the requirements of this Consent Agreement by the Licensee, the Consent Agreement will be satisfied and the case will be inactivated.

19. The hearing/presiding officer whose signature appears below has been designated pursuant to K.S.A. 77-514 and K.S.A. 77-526 to act on behalf of the Board/agency head and to hear discipline cases on behalf of the Board/agency head and to render either initial orders or final orders, if by agreement of both parties, in those discipline cases.

IN WITNESS WHEREOF, the parties hereto execute this CONSENT AGREEMENT AND FINAL ORDER.

IT IS SO ORDERED.

[Redacted Signature]

Lace M. Morford must sign before a Notary Public.

Lace M. Morford  
Licensee  
1000 East 9th St  
Colby, KS 67701

State of Kansas, County of Thomas ss.

SUBSCRIBED AND SWORN TO before, me by Lace M. Morford

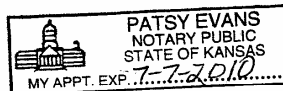
on this 25 day of July, 2006.

Signature of Notary Public

My Commission Expires 7-7-2010  
(Notary Public Seal)

[Redacted Signature]

Mark A. Knight, #12183  
Assistant Attorney General  
Landon State Office Building  
900 SW Jackson #1051  
Topeka, KS 66612-1230



[Redacted Signature]

Terry E. Beck, Hearing Officer

CERTIFICATE OF SERVICE

On the 2<sup>nd</sup> day of August, 2006, I mailed a copy of this CONSENT AGREEMENT AND FINAL ORDER to:

Lace M. Morford  
1000 East 9th St  
Colby, KS 67701



Mark A. Knight, #12183  
Assistant Attorney General