

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**IN THE MATTER OF  
Yvonne Denise Williams**

**License No. 23-16845-011/Reinstatement  
Case No. 13-1192-8**

EFFECTIVE AS A  
FINAL ORDER  
DATE: 12-30-2016

**SUMMARY ORDER**

COMES NOW the applicant, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Bryce D. Benedict, and for its cause of action states that:

1. Applicant, Yvonne Williams, filed a new application for reinstatement on November 23, 2016. The Board has jurisdiction over the applicant and the subject matter of this action.
2. Applicant's address of record per her application is 2824 SE Ohio Avenue, Topeka KS 66605.
3. The Kansas State Board of Nursing may deny a license if the applicant is deficient in qualification, or in the quality of education, or if there are disqualifying factors under K.S.A. 65-1120 and amendments thereto. Among the disqualifying factors enumerated in K.S.A. 65-1120 is unprofessional conduct as defined by the rules and regulations of the Kansas State Board of Nursing. K.S.A. 65-1120(a)(6). Unprofessional conduct is defined by K.A.R. 60-3-110.

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.

4. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency if the use of summary proceedings does not violate any provision of law, the protection of the public interest does not require the state agency to

give notice and an opportunity to participate to persons other than the parties, and the state agency believes in good faith, after investigation of the facts, that the allegations will be supported to the applicable standard of proof.

#### STATEMENT OF FACTS

5.

- (a) Applicant's license was revoked in 2014.
- (b) The revocation order incorporated by reference the allegations in the Petition that had been filed by the Kansas State Board of Nursing. Per that petition the applicant had paid for a 2013 license renewal with a \$60.00 bad check, and the applicant had neither made good the check nor paid the \$30.00 bad check fee. The revocation order ordered the applicant to pay these amounts. The applicant has never paid these amounts.
- (c) By Summary Order in May 2015 the applicant's subsequent application for reinstatement was denied for, among other factors, that "Applicant worked and represented herself as a nurse after her license was revoked; Applicant failed to notify her employer of the revocation; Applicant failed to notify KSBN of multiple misdemeanor convictions; Applicant admitted in a phone interview that she had worked after her license was revoked; Her license was revoked for submitting a worthless check for her renewal; and Applicant was sent a Unlicensed Practice Agreement and she failed to return it to KSBN."
- (d) Applicant in her application represented that she has been convicted of a misdemeanor, but she failed to provide, as instructed, certified copies of the relevant court documents and an explanatory letter for each conviction, or in the alternative to explain if this was a previously reported conviction.

6. In considering whether a nurse can be reinstated, the Board takes into consideration, among others, factors outlined in *In Vakas v. Kansas Bd. of Healing Arts*, 248 Kan. 589, 608, 808 P.2d 1355 (1991), Syl. ¶ 2,, i.e.(1) the present moral fitness of the applicant; (2) the demonstrated consciousness of the wrongful conduct and disrepute which the conduct has brought the profession; (3) the extent of applicant's rehabilitation; (4) the nature and seriousness of the original misconduct; (5) the conduct subsequent to discipline; (6) the time elapsed since the original discipline; (7) the applicant's character, maturity, and experience at the time of the original revocation; and (8) the applicant's present competence in nursing skills.

7. The evidence before the Board shows that there are disqualifying factors under K.S.A. 65-1120 and amendments thereto; that the applicant is neither competent nor qualified to practice nursing; that she has failed to comply with a disciplinary order of the Board; the *Vakas* factors when consider as a whole do not support a finding that reinstatement should be allowed; and that the safety of the citizens of Kansas is protected by denying the application for reinstatement.

**IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT**

- 1. Applicant's application for reinstatement is denied.**
- 2. Licensee shall not practice nursing in the state of Kansas.**

NOTICE

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, this Summary Order becomes effective as a final order, without further notice, upon the expiration of the time for requesting a hearing. If a hearing is requested, the prior issuance of a summary order shall not affect the burden of proof. Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.

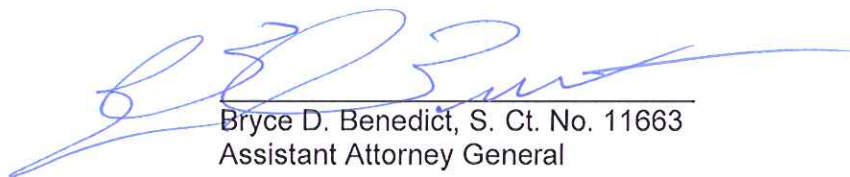
*Judith Hiner RN BSN*

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

CERTIFICATE OF SERVICE

I certify that on the 1st day of December, 2016, 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:

Yvonne Williams  
2824 SE Ohio Avenue  
Topeka KS 66605

  
Bryce D. Benedict, S. Ct. No. 11663  
Assistant Attorney General

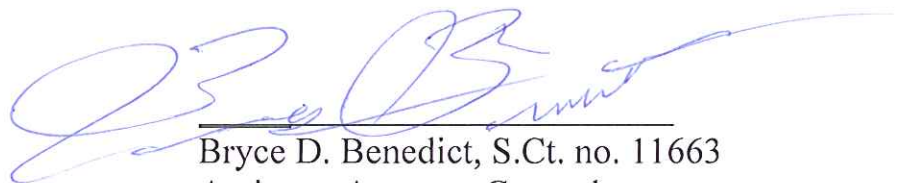
**FINAL ORDER NOTICE OF RIGHTS**

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service. A party to an agency proceeding may seek judicial review of a Final Order by filing a petition in the District Court as authorized by K.S.A. 77-601, *et seq.* A petition must be filed within 30 days following service of the Final Order. A copy of any petition for judicial review must be served upon Mary Blubaugh, Executive Administrator, Kansas State Board of Nursing, 900 SW Jackson, Suite 1051, Topeka KS 66612.

**CERTIFICATE OF SERVICE**

I certify that on the 30th day of December, 2016, a copy of the Final Order and Final Order Notice of Rights was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Yvonne Williams  
2824 SE Ohio Avenue  
Topeka KS 66605



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Bryce D. Benedict, S.Ct. no. 11663  
Assistant Attorney General