

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

SEP 22 2014

IN THE MATTER OF

MILDRED L. ARREDONDO

License No. 23-19478-112 (Reinstatement)

KSBN

Case No. 14-1206-0

SUMMARY ORDER

Now this 22nd day of September 2014, the above matter comes before the Kansas State Board of Nursing (Board) pursuant to authority granted to the Board by K.S.A. 65-1120. The Board hereby proposes to find facts and take disciplinary action against the Licensed Practical Nurse (LPN) Reinstatement Application of Mildred L. Arredondo, (Applicant) by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. (a) Applicant let her LPN nursing license lapse on or about 11/30/2004. She filed a reinstatement application on or about 7/3/2014. The Board has jurisdiction over the applicant and the subject matter of this action.

(b) Applicant's address of record is 205 W. Kansas Ave., Blackwell, Oklahoma, 74631.

(c) Applicant failed to report all of her prior employers on the 7/3/2014 reinstatement application and the correct dates of her employment. Applicant answered "yes" to the question regarding whether or not she had prior misdemeanor convictions. Applicant, when questioned, reported she did not have any prior misdemeanor convictions and had mistakenly answered yes.

(d) In Case No. 13-1209-0, the Kansas Board of Nursing received a report that the applicant was disciplined by the Texas Board of Nursing as follows:

(1) Applicant failed to respond to the Texas Board of Nursing when it filed formal charges of violations of the Texas Occupations Code on April 23, 2013. The applicant was charged with ten counts of failing to administer medications, incorrectly administering medications, administering double the dose of medications, failure to document the administration and failing to participate in the count of medications at shift change;

(2) Applicant's Texas nursing license was revoked on or about June 14, 2013.

(3) The revocation of applicant's license was set aside on or about June 18, 2013

(4) Applicant entered into an agreed order, that was effective on or about November 12, 2013;

(5) In the agreed order the applicant admitted to several violations of the Texas Occupations Code. The Texas Board determined that the evidence presented by the Board was sufficient to support the disciplinary action taken against the applicant, notwithstanding the applicant's stipulations. Applicant was reprimanded with stipulations and she agreed to complete the following:

a. within one (1) year of entry of this order successfully complete a course in Texas nursing jurisprudence and ethics, medication administration, nursing documentation, and a course titled "Sharpening Critical Thinking Skills";

b. notify each employer of the stipulations and limitations on her license and each employer must acknowledge notification by submitting a notification of employment form;

c. For the first year of employment work only where applicant can be directly supervised by a registered nurse and cannot work for a nurse registry, temporary nurse employment agency, hospice, home health or self-employment or contract work;

d. Applicant must have employers submit employment reports.

(e) The Board interviewed the applicant and she revealed that she has not completed the terms of the Texas agreement and intends to let her license lapse in November 2014, rather than complete the terms.

(f) The Applicant asked if the Kansas Board would require her to comply with the restrictions listed in her agreed order with Texas, because she did not agree with the facts as found by the Texas Board and denied stipulating to any of the facts. When asked why she had not applied for a license in Oklahoma, she indicated she had been told that a Kansas license was easier to obtain.

(g) The Kansas Board requests that the Applicant's application for reinstatement be denied.

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 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)(8), to have a license to practice nursing as a registered nurse or as a practical nurse denied, revoked, limited or suspended, or to be publicly or privately censured, by a licensing authority of another state, agency of the United States government, territory of the United States or country;

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

(c) 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.

3 Applicant's conduct described herein violates the Kansas Nurse Practice Act.

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.

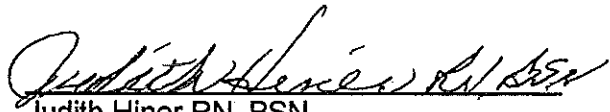
5 The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

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

- 1. Applicant's application to reinstate is denied.**
- 2. Applicant shall not practice nursing in the state of Kansas.**
- 4. Applicant shall pay \$70.00 costs of this action to the Board within thirty (30) days of the effective date of this Order.**

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.

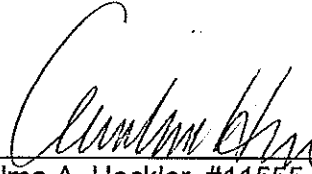
Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.


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

CERTIFICATE OF SERVICE

I certify that on the 23rd day of September, 2014, 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:

Mildred L. Arredondo
205 W. Kansas Ave.
Blackwell, Oklahoma, 74631.

A handwritten signature in cursive script, appearing to read "Alma A. Heckler", written over a horizontal line.

Alma A. Heckler, #11555
Assistant Attorney General