

investigation, there are reasonable grounds to believe Respondent violated the Act.

2. Respondent acknowledges and understands that: she has the right to contact an attorney for advice and representation at any stage of these proceedings; she has the right to a full and fair hearing on the allegations made by the Petitioner. At such hearing, the Petitioner would be required to present witnesses and evidence in support of the allegations; she has the opportunity to cross-examine Petitioner's witnesses; she has the opportunity to present witnesses and evidence on her behalf; the matter would be decided on the evidence presented and a decision would include findings of fact and conclusions of law; the right to seek reconsideration of any adverse order issued by the Board and the right to seek judicial review of any adverse Board order or decision. Respondent understands that by entering into this Consent Agreement and Final Order, she is waiving all of the above-mentioned rights.

3. In lieu of proceeding to a full hearing, Respondent stipulates to Counts I and II of the Petition. Respondent understands that by stipulating to those two counts, she is admitting to violations of the Kansas Nurse Practice Act.

4. Pursuant to the disciplinary remedies available in K.S.A. 65-1120, Respondent's license to practice as a licensed practical nurse (L.P.N.) will be suspended for a period of one (1) year from the date the Consent Agreement and Final Order is approved by the Board, or its designee. Said suspension shall be stayed as long as

Respondent meets the following conditions.

A. Respondent shall pay an administrative fine of \$85.00. Said fine shall be delivered to the Board of Nursing at the time this Agreement is submitted to the Board or its designee. Said fine shall be my money order made payable to the State of Kansas. The Board, upon receipt of the Administrative fine shall deposit said amount in the State's general fund.

B. Respondent shall obtain two (2) hours of continuing education related to nursing and the law. Said hours are in addition to, and not to be counted toward, the thirty (30) hours of continuing education requirement for renewal or her license in June, 1994.

C. Respondent shall notify the Board's practice specialist in writing within ten (10) days of any changes in residence, home telephone number, employment, or other work situations.

5. By signing this Consent Agreement and Final Order, Respondent acknowledges she has read the entire document and agrees to be bound by this document.

6. Should the Board, or its designee, modify or change the Consent Agreement and Final Order in any manner unsatisfactory to either party, either party may withdraw its consent and the matter will proceed to hearing. Further, if the Consent Agreement and Final Order, as signed by the parties, is not acceptable to the

Board, or its designee, neither party shall be bound to any

representations made in this agreement.

FINDINGS OF FACT

1. Respondent is licensed to practice as a licensed practical nurse (L.P.N.) in the State of Kansas, having been issued license number 23-020337-062, with an expiration date of June 1994.

2. The Board received a complaint and conducted an investigation into alleged violations of the Kansas Nurse Practice Act by the Respondent.

3. The Board found there were reasonable grounds to believe Respondent violated the Kansas Nurse Practice Act.

4. On or about August 26, 1992, Respondent committed fraud and deceit in procuring or attempting to procure a license to practice nursing by falsifying the continuing education hours on her reinstatement application.

5. During the period of July, August and September, 1992, Respondent practiced nursing in the State of Kansas without being licensed.

6. Respondent stipulates and admits to Counts I and II as contained in the Petition.

7. In lieu of proceeding to a full administrative hearing, the parties have agreed to enter into and be bound by this Consent Agreement and Final Order.

8. The Parties understand and acknowledge that, pursuant to K.S.A. 45-215 et seq., the signed original of the Consent Agreement and Final Order shall remain in the custody of the Board as a

public record.

CONCLUSIONS OF LAW

1. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter pursuant to K.S.A. 65-1120.

2. Respondent is not represented by counsel. Respondent is aware of her rights under the United States and Kansas Constitutions, the Kansas Nurse Practice Act and the Kansas Administrative Procedures Act. Based on the knowledge of her rights, Respondent has knowingly, intelligently, and voluntarily waived her rights and entered into this Consent Agreement and Final Order. In lieu of proceeding to a full administrative hearing, Respondent waives her rights to: an attorney, an adjudicative administrative hearing in which the evidence and witnesses would be presented; cross-examination of those witnesses against her; the opportunity to present witnesses and evidence on her behalf; a decision by the Board or its designee based on the evidence; findings of facts and conclusions of law; the right to seek reconsideration by the Board of any adverse decision and the right to seek judicial review by a district court of any adverse decision by the Board.

3. Respondent has stipulated and admitted to Count I and II contained in the Petition. Based on those stipulations, Respondent has violated the Kansas Nurse Practice Act, K.S.A. 65-1113 et seq.

4. Respondent committed fraud and deceit in procuring or attempting to procure a license to practice nursing by falsifying the continuing education hours she submitted with her reinstatement

application, in violation of K.S.A. 65-1120(a)(1).

5. Respondent willfully violated the provisions of the Kansas Nurse Practice Act, specifically K.S.A. 65-1114, by practicing nursing in Kansas without a license.

6. The Petitioner and Respondent have entered into this Consent Agreement and Final Order which, when signed by both parties and the Board or its designee, will be binding on the parties and the Board.

FINAL ORDER

WHEREFORE, based on the foregoing Agreement, Findings of Fact and Conclusions of Law, IT IS THEREFORE ORDERED that the following action will be taken against the Respondent's license to practice as a licensed practical nurse (L.P.N.) in the State of Kansas:

Pursuant to the disciplinary remedies available in K.S.A. 65-1120, Respondent's license to practice as a licensed practical nurse (L.P.N.) will be suspended for a period of one (1) year from the date this Consent Agreement and Final Order is approved by the Board or its designee. Said suspension shall be stayed as long as Respondent meets the following conditions.


A. Respondent shall pay an administrative fine of \$85.00. Said fine shall be delivered to the Board of Nursing at the time this Agreement is submitted to the Board or its designee. Said fine shall be my money order made payable to the State of Kansas. The Board, upon receipt of the Administrative fine shall deposit said amount in the state's general fund.

B. Respondent shall obtain two (2) hours of continuing

education related to nursing and the law. Said hours are in addition to, and not to be counted toward, the thirty (30) hours of continuing education requirement for renewal or her license in June, 1994.


C. Respondent shall notify the Board's practice specialist in writing within ten (10) days of any changes in residence, home telephone number, employment, or other work situations.

IN WITNESS WHEREOF, the parties hereunto execute this Consent Agreement and Final Order:



Janet Blankenship
Respondent

3-3-94
DATE




MARK S. BRAUN
Assistant Attorney General
Board Disciplinary Counsel

3/7/94
DATE

WHEREFORE, the provisions stated above are hereby adopted and made the Final Order of the Kansas State Board of Nursing.

IT IS SO ORDERED.

Dated this 11th day of March, 1994



Board Representative or
Board Designee