

Filed

OCT - 8 2003

Board of Nursing

BEFORE THE KANSAS STATE BOARD OF NURSING
LANDON STATE OFFICE BUILDING, 900 S.W. JACKSON, SUITE 1051
TOPEKA, KANSAS 66612-1230

**IN THE MATTER OF
CATHERINE M. RANDALL
LICENSE NO. 23-021890-071**


CASE NO. 02-526-5

ORDER DENYING MOTION TO VACATE

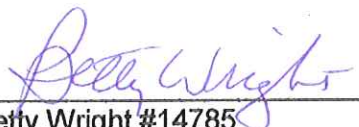
Now on this 8th day of October, 2003, petitioner appears by Betty Wright, disciplinary counsel for the Board. A proposed default order was granted May 7, 2003 after respondent failed to appear for a hearing. Respondent was mailed a copy of that order and respondent timely filed a motion to vacate that order.

Respondent's motion was set for a hearing today and respondent was mailed notice of this hearing to the last known address. Respondent does not appear to argue the motion.

At petitioner's request, respondent's motion is denied. The default order previously mailed to respondent is affirmed and is effective on the date that petitioner mails a copy of this order to respondent.



Terry E. Beck, Hearing Officer



Betty Wright #14785
900 SW Jackson, Suite #1051
Topeka, Kansas 66612-1230
(785) 296-4325

RECONSIDERATION

Pursuant to K.S.A. 77-539 any party, within 15 days after service of a final order, may file a petition for reconsideration with the agency head, stating the specific grounds upon which relief is requested.

If either party wishes to have the order reconsidered, send a petition, or letter with specific grounds stating why the matter should be reviewed. Address request to:

Mary Blubaugh, Executive Director
State Board of Nursing
Landon State Office Building
900 SW Jackson, Ste 1051
Topeka, KS 66612-1230

CERTIFICATE OF SERVICE

I hereby certify that on the *9th* day of October, 2003, I deposited a true and copy of the above foregoing in the United States mail, postage prepaid to:

Catherine Randall
PO Box 310
Corrales, NM 87048.



Betty Wright, Assistant Attorney General

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Board of Nursing

BEFORE THE KANSAS STATE BOARD OF NURSING

LONDON STATE OFFICE BUILDING, 900 S.W. JACKSON #1051
TOPEKA, KANSAS 66612-1230

IN THE MATTER OF
CATHERINE M. RANDALL
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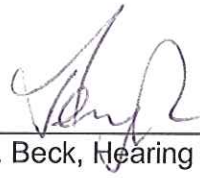
PROPOSED DEFAULT ORDER REVOKING LICENSE

NOW ON THIS 7th day of May, 2003, petitioner appears by disciplinary counsel, Alma A. Heckler, for a Hearing on the Petition. Respondent does not appear.

Wherefore, the hearing officer finds as follows:

1. Respondent is licensed through 7/31/2003 as an L.P.N. The Board has jurisdiction over this matter.
2. Petitioner sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper.
3. Petitioner moves for issuance of a proposed default order revoking license.
4. The petitioner's request is granted by default.
5. Respondent has violated K.S.A. 65-1120(a)(4) to be unable to practice with skill and safety due to current abuse of drugs or alcohol. Respondent has violated K.A.R. 60-3-110(n) diverting drugs, supplies, or property of any patient or agency.
6. Costs of the action of \$70.00 are assessed to respondent to be paid to the Board by cash or money order within 30 days of the effective date of this order.
7. Respondent shall forward original Kansas L.P.N. license no. 23-021890-071 immediately to the Kansas State Board of Nursing.
8. Disciplinary counsel shall mail a copy of this order to respondent's last known address.

IT IS SO ORDERED.



Terry E. Beck, Hearing Officer

NOTICE

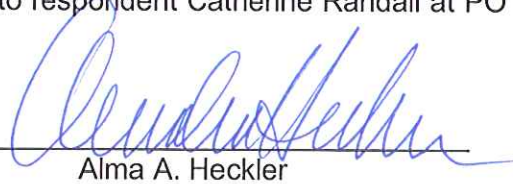
This is a proposed default order pursuant to K.S.A. 77-520. This order becomes effective if respondent does not file a written motion requesting that this order be vacated with the Board within ten days after the day this order is mailed. If a motion is timely filed, then a hearing will be set and notice given to respondent to appear. Another order will then be issued either vacating or affirming this order.



Alma A. Heckler
Assistant Attorney General
900 S.W. Jackson, Suite 1051
Topeka, Kansas 66612-1230
785-296-4325

CERTIFICATE OF SERVICE

On the 7th day of May, 2003, I mailed a copy of this order by depositing it with the United States Postal Service, postage prepaid, addressed to respondent Catherine Randall at PO Box 310, Corrales, NM 87048.

A handwritten signature in blue ink, appearing to read "Alma A. Heckler", is written over a horizontal line.

Alma A. Heckler

BEFORE THE KANSAS STATE BOARD OF NURSING

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

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Board of Nursing

**IN THE MATTER OF
CATHERINE M. RANDALL
LICENSE NO. 23-021890-071**

CASE NO. 02-526-5

PETITION

COMES NOW the petitioner, the Board of Nursing, by and through disciplinary counsel, Alma A. Heckler, and for its cause of action states that:

1. Respondent is licensed to practice nursing in Kansas as an L.P.N. through 7/31/2003.
2. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew licenses 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.
3. After an investigation, the Board found reasonable grounds for believing that respondent violated K.S.A.65-1120(a) and referred the matter for further proceedings.

FACTS COMMON TO ALL COUNTS

4. On 8/22/02 Medicalodge of Goddard discovered medication cards missing from the lock box on the medication cart. All staff with access to the cart from 8/15/02 to 8/22/02; were sent for drug screenings. The respondent's drug screen was negative for the missing narcotics, but positive for Cocaine.
5. Respondent was terminated on 8/30/02 when her positive Urinary Drug Screen (UDS) result was reported to the facility.
6. Respondent submitted a pre-employment UDS on 9/23/99 which was positive Cocaine.
7. During the investigation by the Board, the respondent moved to New Mexico and is working with a temporary permit in New Mexico.

COUNTS

Respondent has violated the Kansas Nurse Practice Act as follows;

1. K.S.A. 65-1120(a)(4) to be unable to practice with skill and safety due to current abuse of drugs or alcohol.
2. K.A.R. 60-3-110(n) diverting drugs, supplies, or property of any patient or agency.

WHEREFORE, petitioner requests that the respondent's license be revoked or suspended and for \$70.00 costs to be assessed to respondent.

Respectfully submitted,

Phill Kline
Attorney General

By: _____


Alma A. Heckler
Assistant Attorney General
Board of Nursing
785-296-4325