

BEFORE THE KANSAS STATE BOARD OF NURSING
LONDON STATE OFFICE BUILDING, 900 S.W. JACKSON #551-S
TOPEKA, KANSAS 66612-1230

Filed
NOV 21 2001
Board of Nursing

IN THE MATTER OF THE LICENSE OF
LPN NO. 23-023818-052
REBECCA FAITH THACKER

CASE NO. 97-0456-8


DEFAULT ORDER DENYING APPLICATION

NOW ON THIS 6th day of November, 2001, petitioner appears by disciplinary counsel, Michelle Davis, for a pre-hearing conference on the petition. Respondent does not appear.

Wherefore, the hearing officer finds as follows:

1. Respondent's license lapsed 5/31/98. Respondent filed a reinstatement application around 4/4/01. 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 granting the petition.
4. The petition is hereby granted and incorporated into this order as if set forth herein.
5. In 1997, respondent violated K.S.A. 65-1120(a)(4), unable to practice with skill and safety due to current abuse of drugs or alcohol, when respondent approached her supervisor seeking help because respondent was missing work due to use of drugs and alcohol. Both in 1997 and in 2001, respondent was unwilling to participate in the board's peer assistance program.
6. Per petitioner's request, respondent's application to practice nursing is denied. Respondent may not practice nursing in Kansas.
7. Costs of the action of \$70 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.
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

Prepared By:



Michelle Davis, Disciplinary Counsel

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.

Michelle Davis

Michelle A. Davis #14116
Disciplinary Counsel
900 S.W. Jackson, Suite #551-S
Topeka, Kansas 66612-1230
785/296-8400

CERTIFICATE OF SERVICE

On the 25th day of November, 2001, I mailed a copy of this order by depositing it with the United States Postal Service, postage prepaid, addressed to respondent at 311 w. 6TH, Auburn, Kansas 66402.

Michelle Davis

Michelle A. Davis

BEFORE THE KANSAS STATE BOARD OF NURSING

Landon State Office Building, 900 S.W. Jackson #551-S
Topeka, Kansas 66612-1230

Filed

OCT 11 2001
Board of Nursing

IN THE MATTER OF
REBECCA FAITH THACKER
LICENSE NO. 23-23818-052

Case No. 97-0456-8

PETITION

COMES NOW the petitioner, the board of nursing, by and through disciplinary counsel for the board, Michelle Davis, and for its cause of action states that:

1. Respondent's license to practice nursing expired 5/31/98. Respondent filed a reinstatement application on or around 4/4/01.
2. Respondent's address of record is 311 W. 6th, Auburn, Kansas 66402.
3. After an investigation, the board's investigative committee found reasonable grounds to believe that respondent violated the nurse practice act and referred this matter for further proceedings. The board may deny or limit a nursing license or may issue a censure if a violation of K.S.A. 65-1120 is established.
4. In May/June of 1997, respondent violated K.S.A. 65-1120(a)(4), unable to practice with skill and safety due to current abuse of drugs or alcohol, when respondent approached her supervisor seeking help because respondent was missing work due to use of marijuana (daily), methamphetamines (3 to 4 times a week), and alcohol (3 times a week). The Kansas Nurses Assistance Program recommended that respondent be monitored because of her dependence upon drugs/alcohol. Respondent did not enter KNAP because respondent did not want a key restriction. Respondent was referred back to KNAP by the board in 12/97. KNAP closed respondent's file in 4/98 because respondent was non-compliant with UDS/therapy/12-step requirements. In May of 2001, the board referred respondent back to KNAP for an evaluation but KNAP closed her file in 9/01 because respondent failed to respond.

WHEREFORE, petitioner requests a finding that respondent violated the nurse practice act, for denial of respondent's application, and for the \$70 costs of this action to be assessed to respondent.

Respectfully submitted,
Carla J. Stovall
Attorney General

By: Michelle Davis
Michelle A. Davis
Assistant Attorney General/Disciplinary Counsel