

Filed
MAY - 4 2005
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 THE LICENSE OF
MICHELLE AUTEN
RN NO. 23-026336-092**

CASE NO. 04-862-9

**PROPOSED DEFAULT ORDER
SUSPENDING LICENSE**

NOW ON THIS 4TH day of May, 2005, petitioner appears by disciplinary counsel, Betty Wright, for a pre-hearing conference on the petition. Respondent does not appear.

Wherefore, the hearing officer finds as follows:

1. Respondent is licensed as a L.P.N. through 9/30/2006. 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 suspending the respondent's license, until all fees, bad check charges and costs of this action are paid in full. Once paid, the suspension shall be stayed until the next licensing period and if respondent pays all fees and there are no further incidents of failure to pay licensing or practice fees, a license shall issue without a suspension or stay.
4. The petition is hereby granted and incorporated into this order as if set forth herein.
Respondent violated 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.
5. Per petitioner's request, respondent's license to practice nursing is suspended. Respondent may not practice nursing in Kansas and respondent shall return her license card to the board immediately, even if respondent does pay the fees, and costs, a new license shall issue reflecting the suspension and stay. The new license shall be issued with an "S".
6. Respondent shall pay the verification fee in the amount of \$62.50 for the online renewal, bad check processing fee of \$15.00 and costs of the action of \$70.00. A total of \$147.50 is assessed

to respondent to be paid to the board by certified check or money order within 30 days of the effective date of this order. Total amount owed is \$147.50.

7. Disciplinary counsel shall mail a copy of this order to respondent's last known address.

IT IS SO ORDERED

Terry E. Beck
Hearing Officer

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 at:

State Board of Nursing –Legal Division
Landon State Office Building
900 SW Jackson, Ste 1051
Topeka, KS 66612-1230

within seven 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.

Betty Wright #14785
Disciplinary Counsel
900 S.W. Jackson, Suite #1051
Topeka, Kansas 66612-1230
785/296-4325

CERTIFICATE OF SERVICE

On the 4th day of May, 2005, I mailed a copy of this order by depositing it with the United States Postal Service, postage prepaid, addressed to:

Michelle Auten
15647 Q Road
Mayetta, KS 66509


Betty Wright, Assistant Attorney General