

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**IN THE MATTER OF PATRICIA MICHELLE RUSSELL**

**License No. 23-26499-061**

**Case No. 11-992-9**

FILED

FEB 20 2015

KSBN

**SUMMARY ORDER**

NOW ON THIS 20<sup>th</sup> day of February, 2015, 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 proposed to find facts and take disciplinary action against the renewal application of Licensee by way of Summary Order as provided by K.S.A. 77-537.

**FINDINGS OF FACT**

1. Licensee is licensed to practice nursing in the state of Kansas. The Board has jurisdiction over the Licensee and the subject matter of this action.
2. Licensee's address of record is 2100 S. 17<sup>th</sup> Terrace Leavenworth, Kansas 66048.
3. On or about 29<sup>th</sup> day of January, 2015, the Board reviewed this case.
4. Review of the information gathered by the Board revealed the following information upon which this action is based.
5. According to a report:
  - a. It is alleged that while licensee was employed by Correct Care Solutions and working at Lansing Correctional facility, licensee administered Ativan without a Doctor's order.
  - b. This incident occurred on or about May 1<sup>st</sup>, 2011 and prior to this date on multiple occasions.
  - c. Licensee was terminated on or about the 26<sup>th</sup> day of May, 2011.
  - d. Licensee was contacted by investigator on the 15<sup>th</sup> day of October, 2014 regarding these allegations and licensee failed to respond.

### CONCLUSIONS OF LAW

1. 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 authorization, if the Licensee, licensee or holder of a certificate of qualifications or authorization is found to have violated the Nurse Practice Act. The above fact findings established evidence that the Licensee violated the following provisions of the Nurse Practice Act:
  - a. Count 1: K.S.A. 65-1120(a)(3) to have committed an act of professional incompetency as defined in subsection (e) in practicing outside of the scope of license.
  - b. Count 2: K.S.A. 65-1120 (3) to be guilty of unprofessional conduct as defined as defined by rules and regulations of the board KAR 60-3-110 (t) failing to furnish the board, its investigators, or its representative with any information legally requested by the board.
2. Licensee's conduct described herein violated the Kansas Nurse Practice Act and renders the Licensee non-qualified for obtaining a renewal of his/her license.
- 3 K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the summary proceedings does not violate any provision of law and the protection of the public interest does not require the state agency to give notice and opportunity to participate to persons other than the parties.
- 4 The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

### POLICY STATEMENT

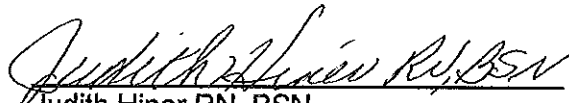
1. Exploitation of a patient while in a vulnerable state damages the nursing profession.  
and is a breach of the public trust placed with a nurse in the practice situation.

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

1. **Licensee's license to practice nursing in the state of Kansas is revoked.**
2. **Upon reinstatement in addition to the submission of the proper forms, fees and documentation of 30 hours of CNE, the Licensee will be required to submit proof of completion of a course of CNE that teaches about the Kansas Nurse Practice Act.**

Pursuant to K.S.A. 77-537, the decision, which is called a Summary Order, is subject to your request for 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.

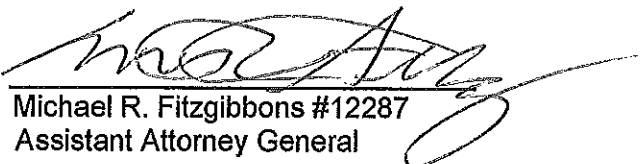
Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.

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

CERTIFICATE OF SERVICE

On the 20<sup>th</sup> day of February, 2015, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Patricia Michelle Russell  
2100 S. 17<sup>th</sup> Terracé  
Leavenworth, Kansas 66048

  
Michael R. Fitzgibbons #12287  
Assistant Attorney General