

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

OCT 26 2011

KSBN

**IN THE MATTER OF
KIMBERLY M. TEEN
License No. 23-28057-081**

Case No. 11-1221-7

SUMMARY ORDER

Now this 26th day of October, 2011, 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 proposes to find facts and take disciplinary action against the renewal LPN license of Kimberly Teen by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. Respondent submitted a renewal application to practice nursing in the state of Kansas. Respondent is licensed to practice nursing in Kansas through 08/31/2013. The Board has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent's address of record is 12507 W 79, Lenexa KS 66214.
3. On or about 8/30/2011, the Board received Respondent's LPN renewal application to practice nursing in the state of Kansas.
4. Review of the Application and other information gathered by the Board revealed the following information upon which this action is based.
5. Respondent answered "no" to the question about whether she had obtained the 30 hours of Continuing Nursing Education (CNE) required for license renewal pursuant to K.S.A. 65-1117(a) and KAR 60-9-106(a).
6. Respondent is not a first time renewal expiring within 30 months following licensure examination or a renewal expiring within 9 months of reinstatement or endorsement, either of which would be an exception to the requirement for CNE.
7. Respondent continued with the process and submitted the renewal application despite the written instructions telling the Respondent that the process should not be completed if the 30 hours of CNE was not obtained.
8. Respondent, upon request, has not submitted proof of the required 30 hours of approved CNE allegedly obtained between the dates of 9/01/2009 and 8/30/2010, the Respondent's prior licensing period, in order to qualify for renewal of the nursing license.
9. To date, Respondent has not provided the Board with 30 hours of approved CNE obtained during her prior licensing period.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1117(a) and KAR 60-9-106(a)-(b) each applicant for renewal of a Kansas nursing license shall submit proof of completion of 30 hours of approved CNE obtained within the prior licensing period.
2. 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 this act or may publicly or privately censure a licensee or holder of a certificate of qualification or authorization, if the applicant, licensee or holder of a certificate of qualification or authorization is found to have violated the Nurse Practice Act. The above fact findings establish evidence that the applicant violated the following provisions of the Nurse Practice Act:
 - a. K.S.A 65-1120(a)(7), willfully violating any of the provisions of the Kansas Nurse Practice Act and K.S.A. 65-1117(a) and KAR 60-9-106, every licensee with an active nursing license shall submit with the renewal application evidence of satisfactory completion of a program of CNE as required by the Board which is 30 hours of approved CNE obtained within the prior licensing period.
3. Respondent's conduct described herein violates the Kansas Nurse Practice Act and renders the Respondent non-qualified for the renewal license obtained.
4. K.S.A. 77-511(a)(2)(A) and K.S.A. 77-537 of the Kansas Administrative Procedure Act authorize the use of summary proceedings by a state agency if the use of 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 an opportunity to participate to persons other than the parties.

POLICY STATEMENT

1. Continuing Education is a mandate by the state legislature and is intended to build upon the educational and experiential bases of the nurse for the enhancement of practice, education, administration, research or theory development to the end of improving the health of the public.
2. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

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

1. Respondent's LPN license to practice nursing in the state of Kansas is revoked.

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

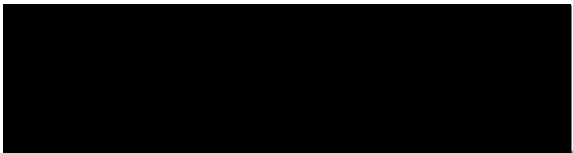


Janet Jacobs, LPN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 26th day of October, 2011, the foregoing copy of the Summary Order was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Kimberly Teen
12507 W 79
Lenexa KS 66214



Danielle Sanger #24587
Assistant Attorney General