

## BEFORE THE KANSAS STATE BOARD OF NURSING

IN THE MATTER OF  
Jeremy W. Stiggins  
License No. 23 028120 102

Case No. 04 676 3  
OAH No. 09BN0031

**INITIAL ORDER**

Now on this 30th day of January 2009, the above-captioned matter comes on for hearing before the Kansas State Board of Nursing, Sandra L. Sharon, duly appointed as Presiding Officer pursuant to K.S.A. 77-514. The Petitioner, the Kansas State Board of Nursing, appears by Assistant Attorney General, Mark A. Knight, Disciplinary Counsel for the Board. The Respondent, Jeremy Stiggins, appears person.

FINDINGS OF FACT

1. Jeremy W. Stiggins is licensed by the Kansas State Board of Nursing (Board) to practice nursing in the state of Kansas.
2. On November 16, 2006, Mr. Stiggins entered into a Consent Agreement and Final Order with the Board. In the Consent Agreement, Mr. Stiggins and the Board agreed that Mr. Stiggins would practice nursing with a status (S) on his license. This indicates that Mr. Stiggins' license is suspended. Under the Consent Agreement, the suspension of Mr. Stiggins' license is stayed as long as he meets the requirements as set forth in the Consent Agreement.
3. In the Consent Agreement, Mr. Stiggins' agreed that he would:
  - (a) Participate and complete the requirement of the Kansas Nurse Assistance Program (KNAP). (Consent Agreement Paragraph 15(b));
  - (b) Not violate the laws of any state, or a political or subdivision of any state. (Consent Agreement Paragraph 15(i));
  - (c) Submit monthly reports to the Board whether he has secured employment. Once the Respondent has secured employment, he shall submit quarterly reports to the Board from his employer (Consent Agreement Paragraph 15(h)).
4. By a letter dated August 25, 2008, the Board was informed that Mr. Stiggins has been discharged from the KNAP program without successful completion of the program.
5. Mr. Stiggins failed to submit reports from his employer to the Board's legal division.
6. On June 16, 2008, Mr. Stiggins was convicted of a felony Driving Under the Influence (DUI) which occurred on June 24, 2007.

7. On January 17, 2008, the Respondent was found guilty of Driving with a Suspended License on the date of October 23, 2007.

#### CONCLUSIONS OF LAW

1. The Kansas State Board of Nursing has the authority under Kansas Statutes Annotated (K.S.A.) 74-1106 *et. seq.* to examine, license, and renew license 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 in accordance with K.S.A. 74-1110, if a violation of K.S.A. 65-1120 is established.
2. The Respondent has violated the Nurse Practice Act as follows:
  - (a) K.S.A. 65-1120(a)(4) is unable to practice with skill and safety due to current abuse of drugs or alcohol.
  - (b) K.S.A. 65-1120(a)(6) has practiced unprofessional conduct, failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.
3. The Respondent has violated the Consent Agreement and Final Order entered into with the Board on November 16, 2006.

#### CONCLUSION

1. Due to violation of the Nurse Practice Act and the Consent Agreement, Mr. Stiggins entered into with the Board; he shall surrender his license to the Board for a period of six months.
2. During the six months in which Mr. Stiggins is not licensed to practice nursing, he shall become compliant with KNAP.
3. At such time that six months has transpired and the Respondent is in compliance with KNAP, he may petition the Board for reinstatement of his nurse's license.
4. The costs of this action shall be assessed to Mr. Stiggins in the amount of \$70.00.

#### APPEAL RIGHTS AND OTHER ADMINISTRATIVE RELIEF

Pursuant to K.S.A. 77-527, either party may request a review of this initial order by filing a petition for review with the Kansas State Board of Nursing. A petition for review must be filed within 15 days from the date this initial order was served. Failure to timely request a review by the Kansas State Board of Nursing may preclude further judicial review. The petition for review shall be mailed or personally delivered to: Mary

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

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

OFFICE OF ADMINISTRATIVE HEARINGS

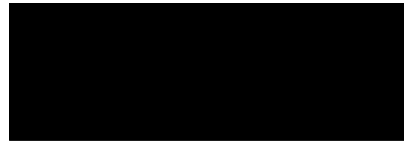
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Sandra L. Sharon  
Presiding Officer  
Office of Administrative Hearings

CERTIFICATE OF SERVICE

On Feb 11, 2009, I mailed a copy of this document to:

Jeremy W. Stiggins  
719 Kerschner Dr., Apt. C  
McPherson, KS 67460

Mark Knight  
Assistant Attorney General  
Disciplinary Counsel for the Kansas State Board of Nursing  
900 SW Jackson, LSOB, Ste. 1051  
Topeka, KS 66612



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Staff Person  
Office of Administrative Hearings