

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

IN THE MATTER OF KATHLEEN THERESA BEAL

AUG 19 2015

License No. 23-28203-122

KSBN

Case No. 14-1711-5

SUMMARY ORDER

NOW ON THIS 19th day of August, 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 367 N Elizabeth Street Wichita, Kansas 67203.
3. On or about 15th of June, 2015, the Board received Licensee's investigative summary on her license to practice nursing in the State of Kansas.
4. Review of the Summary and other information gathered by the Board revealed the following information upon which this action is based.
 - a. According to a report, it is alleged that licensee had a positive pre-employment Urine Drug Screen for marijuana at Interim HealthCare and Hospice, Wichita, Kansas.
 - b. This incident allegedly occurred on or about the 24th day of September 2014.
 - c. On or about the 2nd day of October, 2014, licensee's employment was terminated.
 - d. Licensee was referred to KNAP on the 26th day of March, 2015 and again on the 11th day of May , 2015.

d. Licensee obtained a evaluation and based on this evaluation it was determined that there was a need to monitor licensee's recovery.

e. A three year KNAP agreement was sent to licensee and licensee failed to return.

f. The KNAP case was closed on the 7th day of May, 2015.

g. Licensee also had misdemeanor convictions that were not reported to KSBN.

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) K.S.A. 65-1120(a)(1), to be guilty of fraud or deceit in procuring in practicing nursing.

(b) K.S.A. 65-1120(a)(6), unprofessional conduct, by inaccurately recording, falsifying or altering documents.

(c) K.S.A. 65-1120(a)(7), willfully and repeatedly violation provisions of the Kansas Nurse Practice Act by failing to complete the requirements of impaired provider program KAR 60-3-110(s).

(d) K.S.A. 65-1120(a)(4) unable to practice with skill and safety due to current abuse of drugs or alcohol.

2. Licensee's conduct described herein violated the Kansas Nurse Practice Act and renders the licensee non-qualified for renewal license obtained.

3. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the summary proceedings does not violated 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

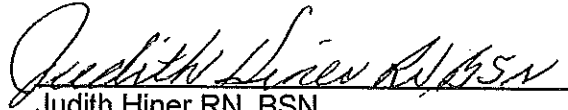
1. Failure to cooperate with the Impaired Provider Program prevents the Board from monitoring the licensee and assuring the public of the safety of the nurse.
2. Truthfulness is a hallmark of the nursing profession and is required to ensure accurate communication of all nursing actions

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 and pay the costs of \$100. Readmission into KNAP would be required for licensure.**

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.

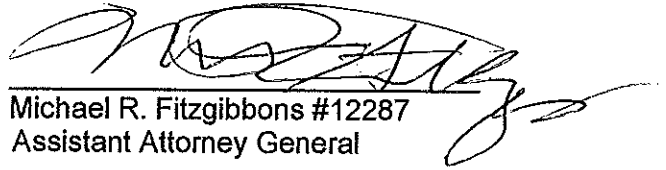


Judith Hiner RN, BSN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

On the 19th day of August, 2015, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Kathleen Theresa Beal
367 N. Elizabeth Street
Wichita, Kansas 67203



Michael R. Fitzgibbons #12287
Assistant Attorney General