

November 24, 2008

IN THE MATTER OF
JACKIE J. PONTON

License No. 23 028397 071

Case No.: 98 389 9, 01 521 9, 07 732 9

OAH No.: 09BN0035

Jackie J. Ponton
321 Main St.
PO Box 154
Longford, KS 67458

Alma A. Heckler
Assistant Attorney General
Kansas State Board of Nursing
Landon State Office Bldg.
900 SW Jackson, #1051
Topeka, KS 66612

Dear Ms. Ponton and Ms. Heckler:

I am in receipt of Ms. Ponton's request that the Proposed Default Order issued in the above-captioned matter on October 28, 2008 be vacated. I am also in receipt of the Kansas Board of Nursing's response. This correspondence shall serve as a response to Ms. Ponton's request pursuant to K.S.A. 77-520(c).

Statutory notice of the prehearing was provided to Ms. Ponton and she acknowledges she was aware of the scheduling of the prehearing. Ms. Ponton admitted that she should have called if she felt she could not participate in the prehearing as scheduled. She did not.

Ms. Ponton has not stated good cause to vacate the Proposed Default Order.

The Default Order shall be final as stated in the Order. If Ms. Ponton is not satisfied with this action, paragraph six of the Order further explains her appeal rights.

Sincerely,


Sandra L. Sharon, Presiding Officer
Office of Administrative Hearings

SLS:jv

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

OCT 28 2008

IN THE MATTER OF

JACKIE J. PONTON

License No. 23-028397-071

KSBN

Case No. 98-389-9, 01- 521-9, 07-732-9

PROPOSED DEFAULT ORDER TO REVOKE LICENSE

NOW ON THIS 28th day of October, 2008, petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Alma A. Heckler, for a Hearing on the Petition.

Respondent does not appear.

Wherefore, the Presiding Officer finds as follows:

1. Respondent is licensed to practice nursing in Kansas through 7/31/2009. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
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 revoking respondent's license. The petitioner's request is granted by default.
4. The petition is hereby granted and incorporated into this order as if set forth herein. Respondent violated the Nurse Practice Act as alleged in the petition.
5. Per petitioner's request, respondent's license to practice nursing is revoked. Respondent may not practice nursing in Kansas.
6. Costs of the action of \$70 are assessed to respondent to be paid to the board by cash or money order within 30 days of the effective date of this order.
7. Respondent shall immediately forward his or her original Kansas licensed practical nurse license to the Kansas State Board of Nursing.

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

IT IS SO ORDERED.

Sandra L. Sharon, Presiding Officer

NOTICE

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 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. The written motion is to be filed at:

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

Alma A. Heckler, #11555
Disciplinary Counsel
Kansas State Board of Nursing
900 S.W. Jackson, Suite #1051
Topeka, KS 66612-1230
785-296-4325

CERTIFICATE OF SERVICE

I certify that on the 28th day of October 2008, the foregoing copy of the Proposed Default Order Revoking License was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Jackie J. Ponton
321 Main St. P.O. Box 154
Longford, KS 67458

Alma A. Heckler
Assistant Attorney General