

July 7, 2008

Jason C. Price
501 S 5th St
Atchison, KS 66002

Case No. 07-160-9
License No. 23-029293-011

SUMMARY ORDER

Dear Mr. Price:

The Investigative Committee of the Kansas State Board of Nursing (KSBN) has reviewed your application materials. It is the decision of the Board that your reinstatement application to practice nursing as a licensed practical nurse in Kansas is denied. This denial is based upon the following:

FINDINGS OF FACT

1. (a) On or about 2/14/2007, the Board received Respondent's application for reinstatement of his license to practice nursing in the State of Kansas as a registered nurse. The applicant was informed that his application would have to be reviewed by the Disciplinary Committee of the Kansas Board of Nursing.

(b) In June of 2007, the Committee reviewed the applicant's file and application. He was directed to enroll in the Kansas Nurse Practice Act (KNAP) and complete a drug and alcohol evaluation. The results of the examination would determine his licensure and possible limitations. The applicant was, also, directed to complete two (2) hours of Continuing Nurse Education (CNE) on the Kansas Nurse Practice Act and six (6) hours on each of the following; Delegation, Documentation and Nursing Ethics by 10/1/07.

(c) [REDACTED] The applicant requested an extension to 11/1/07 for completion of the CNE requirements.

(d) The applicant has not completed the CNE requirements and on February 26, 2008, [REDACTED]

(e) The Board reaffirmed that the applicant would have to complete the CNE requirements before a license would issue. Furthermore, that the applicant's case would have to be presented to the Board so limitations on his license could be imposed if deemed necessary.

(f) The applicant came to the attention of the Board because of his failure to report on his initial application and later applications, a misdemeanor conviction in 1997, for obstruction of legal process. The applicant has also had two positive UDS, one in August 2005 (opiates) and another in July 2006 (opiates and amphetamines).

CONCLUSIONS OF LAW

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)(1), to be guilty of fraud or deceit in practicing nursing or in procuring or attempting to procure a license to practice nursing.

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

(c) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(c), failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.

(d) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(d), inaccurately recording, falsifying, or altering any record of a patient or agency or of the board.

(e) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(s), failing to complete the requirements of the impaired provider program of the board.

3. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency when denying an application in whole or in part.

4. Your conduct described herein violates the Kansas Nurse Practice Act.

5. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

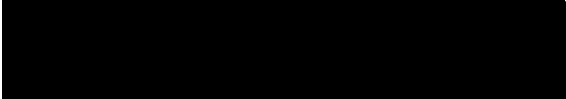
6. If you wish to dispute this matter, contact the Board immediately by following the procedure for requesting a hearing. A copy of your application will be sent to you upon request.

7. 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 above, this Summary Order becomes effective and final upon the expiration of the time for requesting a hearing.



Tamara Hutchison, RN, BSN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 7th day of July, 2008, 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:

Jason C. Price
501 S 5th St
Atchison, KS 66002



Alma A. Heckler, #11555
Assistant Attorney General