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**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**IN THE MATTER OF SARAH DENISE MADDUX AKA SARAH RODRIGUEZ**

License No. 23-31666-091

Case No. 13-1613-5

**SUMMARY ORDER**

NOW ON THIS 20<sup>th</sup> day of December, 2014, 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 reinstatement application of Licensee by way of Summary Order as provided by K.S.A. 77-537.

**FINDINGS OF FACT**

1. Licensee submitted an application for reinstatement 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 3361 West 1<sup>st</sup> Street North, Wichita, Kansas 67203-5404.
3. On or about 20<sup>th</sup> day of November, 2014, the Board reviewed this case.
4. Review of the information gathered by the Board revealed the following information upon which this action is based.
5. According to a report:
  - a. On or about the 19<sup>th</sup> day of October 2004, applicant was convicted of misdemeanor no driver's license.
  - b. Licensee failed to report this conviction to the KSBN as required.
  - c. On or about the 7<sup>th</sup> day of September 2011, applicant's driver's license was restricted due to multiple speeding tickets in one year.

d. On or about the 6<sup>th</sup> day of December 2011, applicants driver's license was suspended due to multiple speeding tickets in one year.

e. Applicant failed to report the above disciplinary action taken against your driver's license to KSBN as required.

f. While applicant was employed as a nurse by Meadowlark Adult Care Homes, Wichita, Kansas, in September 2013, applicant submitted to a random urine drug screen due to missing drugs from the facility.

g. Applicants drug screen tested positive for methamphetamine and methadone.

h. While applicant was employed by the above facility in September 2013, applicant removed medical record documents from multiple resident's medical records and took them home with her.

i. Applicant altered previous documentation on those medical record documents.

j. On or about the 13<sup>th</sup> day of September 2013, applicant was charged in Russell County, Kansas with felony cocaine possession and misdemeanor possession of drug paraphernalia in Case No. 13CR137.

k. Applicant's license lapsed on the 21<sup>st</sup> day of April, 2014.

l. Applicant submitted an application for reinstatement on the 29<sup>th</sup> of August, 2014.

m. Applicant was referred to Kansas Nurse Assistant Program for evaluation and possible monitoring on the 4<sup>th</sup> day of September 2014.

l. KNAP case was closed as unsuccessful on the 5th day of November 2014.

#### **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 Applicant violated the following provisions of the Nurse Practice Act:

- a. K.S.A. 65-1120(a)(4) unable to practice with skill and safety due to current abuse of drugs or alcohol.
- b. 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).
- c. K.S.A. 65 1120(a)(1) unprofessional conduct by fraud or deceit in practicing nursing.

Applicant's conduct described herein violated the Kansas Nurse Practice Act and renders the Licensee non-qualified for obtaining a renewal of his/her license.

- 3 K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the 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 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 maintain compliance with the impaired provider program and use of drugs is a breach of the public trust
2. Truthfulness is a hallmark of the nursing profession and is required to ensure accurate communication of all nursing actions

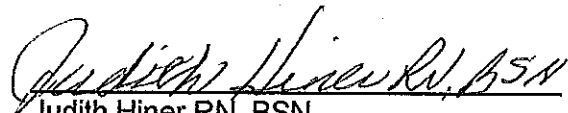
**IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT**

1. **Licensee's application for license to practice nursing in the state of Kansas is denied.**

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.**

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 30<sup>th</sup> day of December, 2014, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Sarah Denise Maddux  
3361 W. 1<sup>st</sup>  
Wichita, Kansas 67203

  
Michael R. Fitzgibbons #12287  
Assistant Attorney General