

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**FILED**

**NOV 17 2009**

**IN THE MATTER OF**

**KARA A. WATKINS**

**License No. 23-032569-092**

**KSBN**

**Case No. 07-061-9, 09-689-9**

**SUMMARY ORDER**

Now this 13<sup>th</sup> day of November, 2009, 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 proposes to find facts and take disciplinary action against the licensed practical nurse reinstatement application of Kara A. Watkins (Applicant) by way of Summary Order as provided by K.S.A. 77-537.

**FINDINGS OF FACT**

1. (a) Applicant was previously licensed to practice nursing in the state of Kansas. Applicant's license to practice nursing in the state of Kansas as a licensed practical nurse lapsed on or about 9/30/2006. Applicant submitted an application for reinstatement of Applicant's license to practice nursing in the state of Kansas. The Board has jurisdiction over the Applicant and the subject matter of this action.
- (b) Applicant's address of record is 820 N 7th, Atchison, KS 66002.
- (c) On or about 7/27/2009, the Board received Applicant's application for reinstatement of Applicant's license to practice nursing in the state of Kansas.
- (d) Review of the Application and other information gathered by the Board revealed the following information upon which this action is based.
- (e) In Case No. 07-061-9, the applicant practiced unlicensed from October 1, 2006 to January 31, 2007. Applicant paid the fine but has failed to complete the two (2) hours continuing nurse education on the Kansas Nurse Practice Act assessed by the Kansas Board of Nursing. Applicant filed a reinstatement application in February 2007 and was issued a temporary permit but applicant failed to complete the thirty (30) hours of CNE and the application was abandoned on 6/22/07 when the permit expired.
- (f) In Case No. 09-689-9, the applicant reported one misdemeanor criminal conviction for worthless check in Atchison County, Kansas, but failed to report four other convictions for misdemeanor worthless check ( Atchison County District Court Case Nos. 2009 CR 006; 2009 CR 241; 2009 CR 253; 2008 CR 410; and 2008 CR 478.)
- (g) Applicant practiced unlicensed since her temporary permit expired on 6/22/07 and even altered her license card to reflect expiration dates of 9/30/08 and 9/30/10. Applicant presented the altered license card to her employer, Hickory Pointe in Oskaloosa, Kansas as proof of licensed status. Applicant has at least 25 months of unlicensed practice.

(h) While employed at Hickory Pointe in Oskaloosa, Kansas, applicant diverted drug deliveries. From 6/1/09 to 7/27/09 applicant admitted to investigators, she wrote orders for lortab and ultram without the authorization of a physician. Applicant signed for the deliveries and then diverted the drugs for her personal use. Applicant was videotaped as a part of the criminal investigation into the diversion of drugs and in the video taken on 10/22/09, applicant admitted to diverting oxycontin and ultram from Hickory Pointe at least 15 times.

(i) There is no report by the Applicant that she is or has been in treatment.

### **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)(3), Professional Incompetency by K.S.A. 65-1120(e)(3), a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing.

(c) 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.

(d) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(n), diverting drugs, supplies, or property of any patient or agency.

(e) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(v), practicing without a license or while the license has lapsed.

(f) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110(a) Performing acts beyond the authorized scope of the level of nursing for which the individual is licensed.

(g) 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.

3. Applicant's conduct described herein violates the Kansas Nurse Practice Act.

4. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency if the use of 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 an opportunity to participate to persons other than the parties.


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

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

**1. Applicant's reinstatement application to practice nursing in the state of Kansas is denied.**

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, 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.

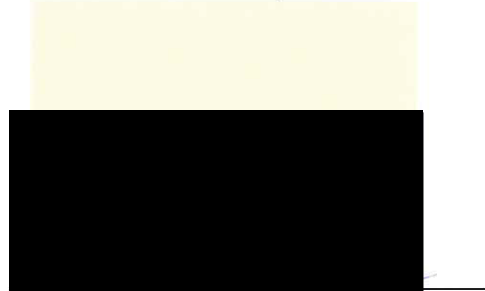


Jahet Jacobs, LPN  
Investigative Committee, Chair  
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 17<sup>th</sup> day of November, 2009, 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:

Kara A. Watkins  
820 N 7th  
Atchison, KS 66002



Alma A. Heckler, #11555  
Assistant Attorney General