

BEFORE THE KANSAS STATE BOARD OF NURSING

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

**IN THE MATTER OF
LINDA J. WOODS
License No. 23-32771-021**

Case No. 10-1239-8

FILED

OCT 25 2011

KSBN

PROPOSED DEFAULT ORDER TO REVOKE LICENSE

NOW ON THIS 25th day of October 2011, Petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Danielle R. Sanger, for a Pre-Hearing on the Petition. Respondent does not appear in person or by phone.

Wherefore, the Presiding Officer finds as follows:

1. Respondent is licensed to practice nursing in Kansas through 02/28/2013. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent was sent a copy of the Petition and Notice of Hearing to Respondent's last known address of record and service is proper. Respondent does not appear.
3. Petitioner moves for issuance of a proposed default order revoking Respondent's license. The Petitioner's request is granted by default pursuant to K.S.A. 77-520.
4. The Petition is hereby granted and incorporated into this order as if fully 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 cashier's check or money order within 30 days of the effective date of this order.
7. Respondent shall immediately forward his or her original Kansas nursing license to the Kansas State Board of Nursing.

8. This Proposed Default Order shall become effective seven days after service, or ten days after mailing, of this order unless the Respondent files a written motion with the Board stating why the Proposed Default Order should be vacated and the order is then vacated.
9. Disciplinary counsel shall mail a copy of this proposed default order to Respondent's last known address of record.

IT IS SO ORDERED.

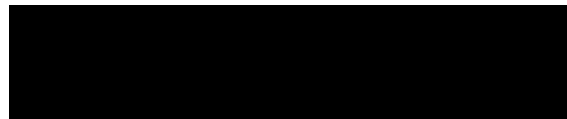


Sandra L. Sharon, Presiding Officer
Office of Administrative Hearings
1020 S Kansas Ave.
Topeka, KS 66612-1327

NOTICE

Pursuant to K.S.A. 77-520, a party against whom a proposed default order is issued may file a written motion to vacate the order. A motion to vacate the proposed default order must be timely filed within 7 days following service of the proposed default order. If no timely motion to vacate the proposed default order is received and granted, the proposed default order becomes final without further proceedings or notice in 30 days after the service of the proposed default order.

Pursuant to K.S.A. 77-531, if served by mail, three days are added to the time limits set out above.



Danielle R. Sanger, #24587
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 25th day of October 2011, a true and correct copy of the foregoing Proposed Default Order Revoking License was deposited in the United States Mail, first-class postage prepaid, addressed to the following:

Linda Woods
13103 S Lewelling Rd.
Carbondale KS 66414-9281



Danielle R. Sanger, #24587
Assistant Attorney General

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SEP 27 2011

KSBN

PETITION

COMES NOW the Petitioner, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Danielle R. Sanger, and for its cause of action states that:

1. Respondent, Linda J. Woods, is licensed to practice nursing in Kansas through 02/28/2013. The Board has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent's address of record is 13103 S Lewelling Rd., Carbondale KS 66414-9281.
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that the Respondent violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
4. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120(a) is established.

FACTS COMMON TO ALL COUNTS

5. The facts below are common to all counts:
 - a. On or about 4/1/2009, Respondent was charged in Osage County Kansas (case 2009CR61) in a twelve count complaint.

- i. Count One: Making a False Claim to the Medicaid Program
 - ii. Count Two: Conspiracy to Make a False Claim to the Medicaid Program.
 - iii. Count Three: Forgery
 - iv. Count Four: Forgery
 - v. Count Five: Forgery
 - vi. Count Six: Forgery
 - vii. Count Seven: Forgery
 - viii. Count Eight: Forgery
 - ix. Count Nine: Forgery
 - x. Count Ten: Forgery
 - xi. Count Eleven: Forgery
 - xii. Count Twelve: Forgery
- b. On or about 3/16/2010, Respondent entered into a plea agreement in case 2009CR61, whereby Respondent pled guilty to Count One: Making a False Claim to the Medicaid Program, a severity level 7 Felony.
- c. On or about 2/24/2011, Respondent submitted a renewal application. On this application, she answered "no" to the question, "Have you ever been convicted of a felony."
- d. In a letter dated 3/23/2011, the Board requested that the Respondent contact the Board at her earliest convenience to discuss the allegation that Respondent violated the Nurse Practice Act.
- e. After receiving no response to the above-referenced letter, the 3/23/2011 letter was resent to Respondent on 4/11/2011.
- f. On or about 4/18/2011, Board investigator Roxanna Uhlig left a voicemail for Respondent asking for Respondent to contact the Board.

- g. On or about 9/2/2011, Board investigator Roxanna Uhlig left a voicemail for Respondent asking for Respondent to contact the Board.
- h. To date, the Respondent has not contacted the Board.

VIOLATIONS

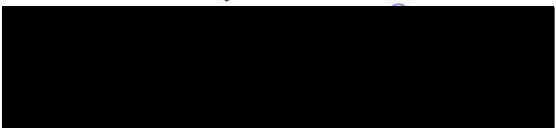
- 6. Respondent has violated the Kansas Nurse Practice Act as follows:
 - a. Count 1: K.S.A. 65-1120(a)(1), to be guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing;
 - b. Count 2: K.S.A. 65-1120(a)(2), to have been guilty of a felony or to have been guilty of a misdemeanor involving an illegal drug offense unless the applicant or licensee establishes sufficient rehabilitation to warrant the public trust.

WHEREFORE, Petitioner requests a finding that the Respondent has violated the Nurse Practice Act, that Respondent's license to practice nursing in Kansas be revoked, and that costs of this action be assessed to the Respondent in the amount of \$70.00.

Respectfully submitted,

Derek Schmidt,
Kansas Attorney General

By:


Danielle R. Sanger #24587
Assistant Attorney General
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900 SW Jackson #1051
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