

BEFORE THE KANSAS STATE BOARD OF NURSING  
LONDON STATE OFFICE BUILDING, 900 S.W. JACKSON #1051  
TOPEKA, KANSAS 66612-1230

Filed

OCT 26 2005

Board of Nursing

IN THE MATTER OF  
JODY HONEYMAN  
LICENSE NO. 23-33169-012

Case No. 04-301-9

CONSENT AGREEMENT TO SUSPEND LICENSE WITH A STAY

COMES NOW the petitioner, the Board of Nursing, by and through disciplinary counsel, Betty Wright, and for its cause of action states that:

1. Respondent is licensed to practice nursing in Kansas as a LPN Nurse until 1/31/06.
2. Respondent's address of record is 2400 SW 26<sup>th</sup> Drive, Topeka, KS 66611.
3. The board may deny, limit, suspend, or revoke a nursing license, certificate or authorization to practice nursing or may issue a public or private censure if a violation of K.S.A. 65-1120(a) is established.
4. After an investigation, the Board found reasonable grounds for believing that respondent violated K.S.A. 65-1120(a) and referred the matter for further proceedings.

FACTS COMMON TO ALL COUNTS

5. Licensee has a criminal history of illicit drug use. In Nemaha County Kansas Case NM 90CR46 she was found guilty of possession of marijuana and methamphetamine. She was sentenced on 8/7/1990 to jail, but allowed supervised probation for one year and fined. On 8/7/1991 the probation was terminated successfully. In Case 09C99000108AO K Circuit Court Eight Judicial District, Butte County South Dakota, Jody Morgan pled guilty 7/12/1999 to grand theft for a saddle and violin, and attempted manufacture, distribution, counterfeiting or possession of a controlled substance - methamphetamine; both are class 4 felonies. She was sentenced to two years in the South Dakota State Penitentiary, and served six months where she attended a drug treatment program. She served the sentence and served

the remainder on probation in Nemaha county Kansas, she was discharged from the South Dakota probation on 6/2/2001. On 7/5/2000 in Nemaha County Case 99CR75 she was found guilty of possession of methamphetamine in April 1999. She was sentenced to serve fifty-six (56) months in jail. She served 10 days with a two (2) year probation, and a \$750 charitable contribution.

6. On 8/2/2004 respondent signed a Diversion Agreement with the board. Respondent agreed to participate in and complete the requirements of the Kansas Nurses Assistance Program (KNAP) as a requirement of licensure.

7. The respondent violated the nurse practice act [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

#### COUNTS

8. (a) 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, except that notwithstanding K.S.A. 74-120 no license, certificate of qualification or authorization to practice nursing as a licensed professional nurse, as a licensed practical nurse, as an advanced registered nurse practitioner or registered nurse anesthetist shall be granted to a person with a felony conviction for a crime against persons as specified in article 34 of chapter 21 of the Kansas Statutes Annotated and acts amendatory thereof or supplemental thereto; and

(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 failing to complete the requirements of the impaired provider program of the board; K.A.R. 30-3-110 (s)

#### POLICY STATEMENT

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

#### DISPOSITION

10. By entering into this Consent Agreement and consenting to the entry of the Final Order, both parties waive their right to full administrative proceedings pursuant to K.S.A. 65-1120(b) and K.S.A.77-501 *et seq.* and to judicial review.

11. Based upon this agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that the license will be **suspended designated on the license with an "S"** but such **suspension shall be stayed** and respondent will be allowed to practice under the following conditions:

a. Licensee shall participate in and complete the recommendations and requirements of the **Kansas Nurses Assistance Program (KNAP)**; sign releases of information necessary for KNAP to evaluate and monitor licensee and for KNAP to report information to the board.

b. Licensee shall send a **money order for \$70** to the Board upon entering into this agreement.

c. Licensee is responsible for the costs related to satisfying these conditions.

12. If licensee does not meet these requirements, petitioner will file a motion to lift the stay and may request additional sanctions against licensee's license or application for a license. Licensee would be sent notice of such action and would be entitled to a hearing as to whether he/she had complied with this agreement, but he/ she could not contest the established violation(s).

13. Licensee agrees to notify the Legal Division of any changes in his/her address and phone number as well as all nursing employment terminations or employer changes or additions. All such notifications shall be made within fourteen (14) days of such a change, address correspondence to: Legal Division, Ks. State Board of Nursing, LSOB, 900 SW Jackson, Suite 1051, Topeka, KS 66612-1230.

14. Licensee shall immediately notify the Legal Division of any use of controlled substances, or any violation of this Consent Agreement and Final Order.

15. The Board will inactivate this case file once licensee satisfies this agreement. This agreement does not prohibit the agency from taking disciplinary action against licensee's license for any additional or cumulative violation of the Nurse Practice Act committed by the licensee before or after this agreement is entered into.

16. The parties understand and acknowledge that this is a disciplinary action; it will be in the newsletter and on the website. The original of this agreement shall be placed in the Agency Record and is a public record.

17. By signing this Consent Agreement, respondent acknowledges that he/she has read and understands the entire document, and agrees to be bound by its terms. This Consent Agreement constitutes the entire agreement of the parties and may not be modified except in writing and approved by all parties.

#### IN CONCLUSION


18. This case will be inactivated and a card with no suspension will be issued when:
- a) the KNAP program issues a letter stating the program has been completed successfully;
  - b) Has paid cost of \$70;
  - c) No further violations of the Nurse Practice Act are reported.

Once all of above are met, the licensee may request that a new card be issued by sending the request in writing, if all requirements are met, the license card with the "S" can be returned to the Board a new card will be issued with no restrictions.

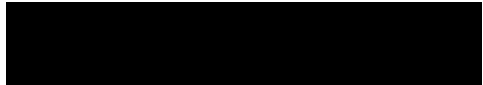
IN WITNESS WHEREOF, the parties hereto execute this Consent Agreement to Suspend with a Stay and request for a Final Order.

  
Jody Honeyman

Licensee  
2600 SW 26<sup>th</sup> Dr.  
Topeka, KS 66611

  
Betty Wright, #14785  
Assistant Attorney General  
900 SW Jackson, Suite 1051  
Topeka, Kansas 66612-1230  
(785) 296-7047


IT IS SO ORDERED.

  
Sandra L. Sharon  
Hearing Officer

CERTIFICATE OF SERVICE

On the 26<sup>th</sup> day of October, 2005, I caused a copy of this document to be mailed, postage prepaid, to:

Jody Honeyman  
2600 SW 26<sup>th</sup> Dr.  
Topeka, KS 66611

  
Betty Wright, Assistant Attorney General  
Assistant Attorney General  
900 SW Jackson, Suite 1051  
Topeka, Kansas 66612-1230  
(785) 296-7047