

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

FILED

MAY 6 2010

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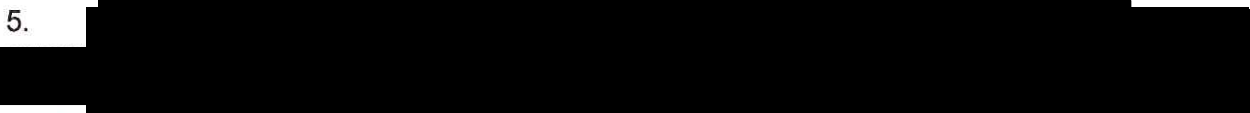
**IN THE MATTER OF  
KIMBERLEE K. RICKERSON  
License No. 23-35240-082**

**Case No. 08-474-8, 09-1080-8**

**SUMMARY ORDER**

Now this 7<sup>th</sup> day of May 2010, 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 license of Kimberlee K. Rickerson (Licensee) by way of Summary Order as provided by K.S.A. 77-537.

**FINDINGS OF FACT**

1. Licensee is licensed to practice nursing in the state of Kansas as a licensed practical nurse through August 31, 2010.
2. Licensee's address of record is 3400 NW 42nd Terrace, Topeka, KS 66618.
3. In case number 08-474-8, the Board investigated a report of multiple discrepancies on March 20 and 21, 2008, between medication administration records, Omnicell reports, and patient charts involving Demerol, Fentanyl, and morphine. Licensee admitted poor documentation but denied use of drugs not prescribed to her or diversion of narcotics.
4. Licensee resigned and left the hospital.
5. 
6. KNAP is the impaired provider program of the Board.
7. In response to the Board's investigation, Licensee completed 3.5 contact hours of continuing nursing education (CNE) in charting and documentation and avoiding medical and medication errors.
8. Licensee was hired by Aldersgate Village, a skilled nursing care facility, on May 19, 2009.
9. In September 2009, the Board received the employer's report of medication discrepancies attributed to Licensee beginning June 1, 2009, and continuing through Licensee's suspension August 12, 2009.
10. On August 11, 2009, staff noticed a bubble card of oxycodone had been tampered with and two oxycodone tablets had been replaced with other medication. A card of Percoset for

another resident had also been tampered with. Licensee was the last to administer medications to both residents.

11. The ensuing medication audit disclosed a pattern of suspicious ordering and documentation tied to access by Licensee and another nurse.

### **CONCLUSIONS OF LAW**

12. 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 upon making any of the findings listed under K.S.A. 65-1120(a).

13. The Board has jurisdiction over the Licensee and the subject matter of this action.

14. The Board may revoke, suspend, or limit Respondent's license pursuant to K.S.A. 65-1120(a)(6), unprofessional conduct as defined by K.A.R. 60-3-110(n), for drug diversion.

15. The Board may revoke, suspend, or limit Respondent's license pursuant to K.S.A. 65-1120(a)(6), unprofessional conduct, as defined by K.A.R. 60-3-110(d), for inaccurately recording, falsifying, or altering any record of a patient or agency.

16. Licensee's conduct described herein violates the Kansas Nurse Practice Act.


17. K.S.A. 77-537 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, 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, and the state agency believes in good faith, after investigation of the facts, that the allegations will be supported to the applicable standard of proof.

18. The role of the Kansas State Board of Nursing is to protect citizens of Kansas, and the proposed action furthers that purpose.

**IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT Licensee's license to practice nursing in the state of Kansas is REVOKED. Licensee shall not practice nursing in the state of Kansas or hold herself out as a nurse unless and until reinstated.**

**Notice of Right to Hearing:** 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. If a hearing is requested, the prior issuance of a summary order shall not affect the burden of proof.

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.



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

CERTIFICATE OF SERVICE

I certify that on the 7<sup>th</sup> day of May, 2010, a true and correct copy of the foregoing Summary Order was deposited in the United States Mail, first-class postage prepaid, addressed to the following:

Kimberlee K. Rickerson  
3400 NW 42nd Terrace  
Topeka, KS 66618

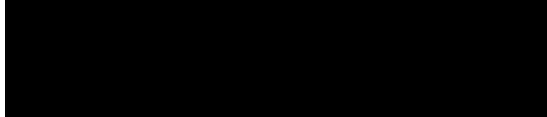
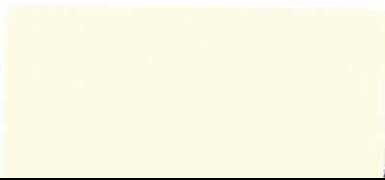


Brenda J. Clary  
Assistant Attorney General

CERTIFICATE OF SERVICE

I certify that on the 30<sup>th</sup> day of June, 2010, 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:

Kimberlee K. Rickerson  
3400 NW 42nd Terrace  
Topeka, KS 66618



Alma A. Heckler, #11555  
Assistant Attorney General