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MAY 16 2011
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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
NICOLE R. ALBARADO
License No. 23-35687-102**

Case No.10-1509-3

SUMMARY ORDER

Now this 16th day of May, 2011, 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 LPN license of Nicole R. Albarado 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 until 10/31/2012. The Board has jurisdiction over the Licensee and the subject matter of this action.
2. Licensee's address of record is 410 Dewey St., Solomon KS 67480.
3. Licensee's LPN license lapsed on 10/31/2010.
4. Licensee's LPN license was reinstated on 12/8/2010.
5. On 12/8/2010, Licensee entered into an "Agreement to Pay Administrative Fine Based on Unlicensed Practice" with the Board.
 - a. Per the agreement, Licensee admitted to practicing as an LPN in the state of Kansas during the dates of 11/01/2010 through 12/8/2010.
 - b. Per the agreement, Licensee agreed to pay a \$100 unlicensed practice fine.
6. Licensee submitted payment of \$50 on 12/8/2010.
7. To date, Licensee has not submitted her final payment of \$50.

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 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 Licensee violated the following provisions of the Nurse Practice Act:

- a. K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the Board, by KAR 60-3-110(v), practicing without a license or while the license has lapsed.
2. K.S.A. 77-511(a)(2)(A) and K.S.A. 77-537 of the Kansas Administrative Procedure Act authorize 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.

POLICY STATEMENT


1. 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. Licensee's LPN license to practice nursing in the state of Kansas is revoked.**

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.

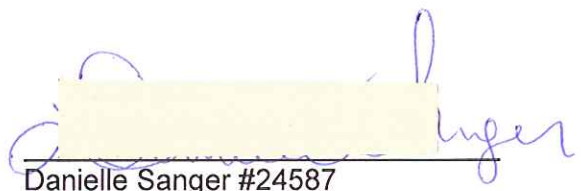


Janet Jacobs, LPN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 16th day of May, 2011, 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:

Nicole Albarado
410 Dewey St.
Solomon KS 67480



Danielle Sanger #24587
Assistant Attorney General