

**BEFORE THE KANSAS STATE BOARD OF NURSING**

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

**IN THE MATTER OF  
Jennifer Louise Denio**

**License No. 23-35878-112  
Case No. 15-1654-4**

**SUMMARY ORDER**

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 nurse license of Jennifer Denio, (Licensee) by way of Summary Order as provided by K.S.A. 77-537.

1. a. Licensee is licensed to practice nursing in the state of Kansas. The Board has jurisdiction over the Licensee and the subject matter of this action.  
b. Licensee's address of record is 621 W 5th St, Larned KS 67550.
2. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.
3. 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. Pursuant to K.S.A. 74-1110 the Kansas State Board of Nursing may also assess a civil fine not to exceed \$1,000.00 for the first violation of a law or rule and regulation applicable to the practice for which such person has been granted a license.
4. After an investigation, the Board's investigative committee found reasonable grounds to believe that the Applicant violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
5. 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, 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.

**FINDINGS OF FACT**

6. (a) On August 26, 2015 the licensee became employed at Meadowlark Adult Care Home.

(b) On August 31, 2015 the licensee left work around 10:00 a.m. without notifying her employer.

(c) The employer thereafter attempted to reach the licensee by phone and text messages. At 4:13 p.m. the licensee sent her employer this text message: "Sorry I had to do Christ work with church and attack [sic]. Can I click me out at 10? I'll come tomorrow early to finish. Call of duty. Sorry."

(d) When the licensee left work she took the facility's cordless phone with her.

(e) Licensee's employer fired her the same day for neglect and job abandonment.

(f) In the few days the licensee worked for Meadowlark she failed to discontinue medications that had orders for them to be discontinued, with the result that three residents received medications that had been discontinued,

(g) The licensee stated to the investigator for the Kansas State Board of Nursing that "I sent the text message, because I felt bad and went home to meditate. God was calling me. I consider the church to be something in our minds and body." She also told the investigator she had left work because although not a diabetic her blood sugar had gotten low and she had not been feeling well.

(h) Licensee has failed to provide the Kansas State Board of Nursing with her correct address.

### VIOLATIONS

7. The above fact findings establish evidence that the Licensee violated the following provisions of the Kansas Nurse Practice Act:

Count 1: K.S.A. 65-1120(a)(3) and (e)(1), to have committed an act of professional incompetency.

Count 2: K.S.A. 65-1120(a)(6) and K.A.R. 60-3-110, to be guilty of unprofessional conduct as defined by rules and regulations of the board; to wit: failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.


Count 3: K.S.A. 65-1117(c)(1) failing to notify the Board in writing of either (a) a change in name or address within 30 days of the change, or (b) a conviction of any felony or misdemeanor that is specified in rules and regulations adopted by the Board, within 30 days from the date the conviction becomes final, regardless of whether the sentence was suspended or probation was granted.

Count 4: K.S.A. 65-1120(a)(6) and K.A.R. 60-3-110, to be guilty of unprofessional conduct as defined by rules and regulations of the board; to wit: leaving an assignment that has been accepted, without notifying the appropriate authority and allowing reasonable time for replacement.

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

- 1. Licensee's license is indefinitely suspended.**
  
- 2. Licensee shall not practice nursing in the state of Kansas.**

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.

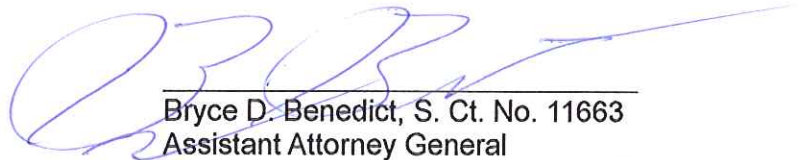
  
Judith Hiner, RN, BSN  
Investigative Committee, Chair  
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 22d day of September, 2016, 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:

Jennifer Denio  
621 W 5th St  
Larned KS 67550

Jennifer Denio  
5015 N Peregrine St  
Wichita KS 67219-3000

  
Bryce D. Benedict, S. Ct. No. 11663  
Assistant Attorney General