

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

JUN 18 2014

KSBN

IN THE MATTER OF

JEFFREY B. WHITE

License No. 23-37762-052(Reinstatement)

Case No. 14-361-6

SUMMARY ORDER

Now this 17th day of June, 2014, 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 (LPN) Reinstatement Application of Jeffrey B. White, (Applicant) by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. (a) Applicant let his LPN nursing license lapse on or about 5/31/2012. He filed a reinstatement application on or about 3/17/2014. The Board has jurisdiction over the Licensee and the subject matter of this action.
- (b) Applicant's address of record is 3124 Crawford, Parsons, Kansas 67357.
- (c) Applicant had a prior investigation, Case No. 08-411-7. An investigative case was opened when he applied for his initial license. He reported a prior misdemeanor conviction for giving a worthless check and a driving under the influence (DUI) conviction, with a driver's license suspension.
- (d) Applicant filed for reinstatement on 3/17/2014. Applicant reported with his reinstatement application he completed treatment in 2013 for alcohol abuse.
- (e) Applicant was referred by the Board to the Kansas Nurses Assistance Program (KNAP) for monitoring on March 26, 2014. Applicant failed to enroll.
- (f) The Kansas Board requests that the Applicant's application for reinstatement be denied.

CONCLUSIONS OF LAW

2. 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 Applicant violated the following provisions of the Nurse Practice Act:

(a) K.S.A. 65-1120(a)(4), to be unable to practice with skill and safety due to current abuse of drugs or alcohol;

(b) 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. 60-3-110(s).

3. Applicant's conduct described herein violates the Kansas Nurse Practice Act.

4. 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.

5. 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

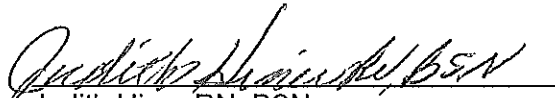
1. Applicant's application to reinstate is denied.

2. Applicant shall not practice nursing in the state of Kansas.

4. Applicant shall pay \$70.00 costs of this action to the Board within thirty (30) days of the effective date of this Order.

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.

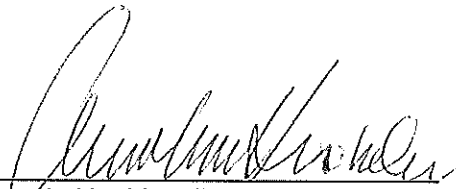
Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.


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

CERTIFICATE OF SERVICE

I certify that on the 17th day of June, 2014, 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:

Jeffery B. White
3124 Crawford
Parsons, Kansas 67357


Alma A. Heckler, #11555
Assistant Attorney General