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OCT 08 2013

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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 AMBER CHRISTINE RIGGS AKA AMBER CHRISTINE COLEMAN

License No. 23-37821-042

Case No. 13-390-7

SUMMARY ORDER

NOW ON THIS 8th day of October, 2013, 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 proposed to find facts and take disciplinary action against the Licensee's license by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. This 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.
2. Licensee's address of record is 25078 w. 150th Terrace Olathe, Kansas 66061.
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that the Respondent violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
4. Review of the information gathered by the Board revealed the following upon which this action is based.
 - (a) Respondent license to practice nursing in the State of Kansas was revoked.
 - (b) On or about the 27th of March, 2013, KSBN received an application for reinstatement.
 - (c) Per application, Licensee was to submit an explanatory letter for each conviction not previously reported.
 - (d) It is alleged that you falsified your application by indicating your last place of employment was Villa St Francis in Olathe.

- (e) A preliminary investigation reveals that you have been working at Pinnacle Ridge Nursing and Rehabilitation as Assistant Director of Nursing.
- (f) Licensee has done this without a valid active license.
- (g) Convicted of Felony Driving Under the influence 22nd day of March, 2013.
- (h) The Investigative committee of Kansas State Board of Nursing reviewed this case on the 11th day of April, 2013 and referred licensee to KNAP for chemical dependency evaluation with subsequent monitoring.
- (i) Licensee entered a three year KNAP agreement on the 9th day of May, 2013.
- (j) Licensee agreed to an Administrative Fine and stipulated to the Unlicensed Practice for the period of the 1st day of May, 2012 through the 15th day of March, 2013 and agreed to pay \$500 for this violation.
- (k) On the 25th day of June, 2013, it was alleged that you have been non compliant with your KNAP agreement.
- (l) During telephone interview with investigator regarding non compliancy with KNAP, licensee used foul and abusive language and told investigator that she can just take her license.
- (m) On the 12th day of July, 2013 your KNAP case was closed due to uncooperative behavior, dishonesty and inability to monitor.

5. This Licensee violate the Nurse Practice Act by unprofessional conduct by fraud and deceit in practicing nursing and failure to complete the KNAP program.

CONCLUSIONS OF LAW

- a. K.S.A. 65 1120(a)(1) unprofessional conduct by fraud or deceit in practicing nursing.
- b. K.S.A. 65-1120 (3) to be guilty of unprofessional conduct failing to furnish the board, its investigators, or its representative with any information legally requested by the board
KAR 60-3-110 (t).

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

d. K.S.A. 65-1120(a)(7), willfully and repeatedly violation provision of the Kansas Nurse Practice Act by failing to complete the requirements of impaired provider program KAR 60-3-110(s).

6. 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 authorization, if the Licensee, Licensee or holder of a certificate of qualifications or authorization is found to have violated the Nurse Practice Act.

5. The above fact findings established evidence that the Licensee violated the following provisions of the Nurse Practice Act:

Count 1: K.S.A. 65 1120(a)(1) unprofessional conduct by fraud or deceit in practicing nursing.

Count 2 K.S.A. 65-1120(a)(8), to have a license to practice nursing as a registered nurse or as a practical nurse denied, revoked, limited or suspended ... by a licensing authority of another state.

Count 3: K.S.A. 65-1120 (3) to be guilty of unprofessional conduct failing to furnish the board, its investigators, or its representative with any information legally requested by the board KAR 60-3-110 (t).

K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the summary proceedings does not violated any provision of law and the protection of the public interest does not require the state agency to give notice and opportunity to participate to persons other than the parties.

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

POLICY STATEMENT


1. Truthfulness is a hallmark of the nursing profession and is required to ensure accurate communication of all nursing actions.
2. Compliance with the impaired provider program is essential to determine safety to practice.

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

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

Pursuant to K.S.A. 77-537, the decision, which is called a Summary Order, is subject to your request for 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.


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

CERTIFICATE OF SERVICE

On the 8th day of October, 2013, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Amber Christine Riggs
25078 W. 150th Terrace
Olathe, Kansas 66061


Michael R. Fitzgibbons #12287
Assistant Attorney General