

FILED

OCT 27 2016

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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
Jenna Lea Hite

License No. 23-44009-032
Case No. 14-2283-5

EFFECTIVE AS A
FINAL ORDER
DATE: 10-27-2016

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 Jenna Hite, (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 301 E. 10th Street, Altamont KS 67330.
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.
6. Licensee entered into a Diversion Agreement with the Board on or about July 31, 2015. In that agreement the licensee stipulated to the following facts and violations of the Kansas Nurse Practice Act:

FACTS:

- a. According to a report, it is alleged that while licensee was employed by Parsons Presbyterian Manor of Mid America, Parsons, Kansas, licensee had a drug screen that was positive for methamphetamines.
- b. This incident allegedly occurred on or about the 15th day of December 2014.
- c. Licensee was suspended and later terminated from her employment.
- d. Licensee had been coming to work with very poor appearance.
- e. Licensee developed lesions on her arms, face and scalp.
- f. Licensee was hyper, anxious and paranoid.
- g. She showed decreased mental alertness with shakiness and tremors.
- h. Licensee signed a contract with KNAP on the 6th day of March, 2015.
- i. According to the report, it is alleged that licensee's KNAP file has been closed due to three instances of non-compliance.
- j. Licensee failed to sign all of the releases of information.
- k. Licensee failed to attend 12 step meetings and monthly monitoring meetings.
- l. This incident allegedly occurred on or about the 13th day of April, 2015.

VIOLATIONS:

Count 1: K.S.A. 65-1120(a)(7), willfully and repeatedly violation provisions of the Kansas Nurse Practice Act by failing to complete the requirements of impaired provider program.

Count 2: K.S.A. 65-1120(a)(4) unable to practice with skill and safety due to current abuse of drugs or alcohol.

7. The Diversion Agreement required the licensee to complete the Kansas Nurse Practice Act CNE, to provide quarterly reports if employed or monthly if unemployed, and to re-enroll into KNAP, the impaired provider program, and abide by the recommendations of KNAP.


8. The licensee has failed to comply with the preceding requirements of the Diversion Agreement.

9. By virtue of licensee being in default of the Diversion Agreement the above stated facts and violations of the Kansas Nurse Practice Act are deemed admitted, plus the licensee has for a second time violated the Act by failing for a second time to complete the impaired provider program.

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

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

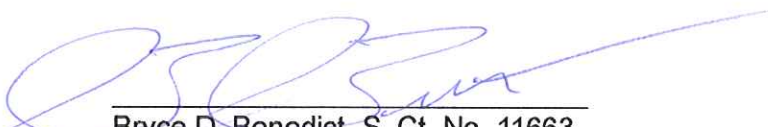
Pursuant to K.S.A. 77-537, this decision, which is called a Summary Order, is subject to your request for a hearing. If you desire a hearing, you must submit or direct a written request for hearing to: Kansas State Board of Nursing, Legal Division, 900 SW Jackson, Suite 1051, Topeka, Kansas 66612-1230, (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 4th day of October, 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:

Jenna Hite
301 E. 10th Street
Altamont KS 67330


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

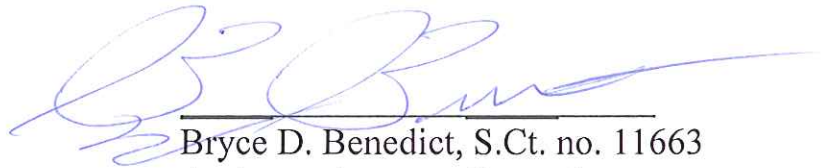
FINAL ORDER NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service. A party to an agency proceeding may seek judicial review of a Final Order by filing a petition in the District Court as authorized by K.S.A. 77-601, *et seq.* A petition must be filed within 30 days following service of the Final Order. A copy of any petition for judicial review must be served upon Mary Blubaugh, Executive Administrator, Kansas State Board of Nursing, 900 SW Jackson, Suite 1051, Topeka KS 66612.

CERTIFICATE OF SERVICE

I certify that on the 22th day of October, 2016, a copy of the Final Order and Final Order Notice of Rights was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Jenna Hite
301 E. 10th Street
Altamont KS 67330



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