

BEFORE THE KANSAS STATE BOARD OF NURSING
Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

IN THE MATTER OF MARY ANNE TAYLOR

License No 24-16040-102

Case No. 13-291-4

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PETITION

COMES NOW the petitioner, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Michael R. Fitzgibbons, and for its cause of action states that:

1. Respondent, Mary Anne Taylor, is licensed to practice nursing in Kansas through October, 2014. The Board has jurisdiction over the respondent and the subject matter of this action.
2. Respondent's address of record is 11518 Highway 54 Liberal, Kansas 67901.
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. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120(a) is established.

ACTS COMMON TO ALL COUNTS

5. The facts below are common to all counts:
 1. Licensee employed by Wheatridge Park Care Center in Liberal, Kansas.
 2. A resident at the facility was found non responsive.
 3. Licensee was notified by CNA of patient's non responsive.

4. Licensee finish with the patient she was working with and went to the aid of the non responsive patient.
5. Licensee called her supervisor, notifying her of the patient's status, that she knew he was a full code and wanted to know what to do next??
6. Licensee had prior disciplinary action with her employer.
7. Licensee failed to act as a prudent nurse by not immeidately assessing and initiating CPR.
8. Licensee was suspended immediately pending the investigation and has since been terminated.
9. Licensee contacted KSBN on the 10th day of May, 2013 and stated that she will mail in a letter to surrender her license by means of revocation.
10. KSBN sent licensee a letter dated the 27th of June, 2013, with an voluntary order surrendering her license and this order has not been returned.

VIOLATIONS

6. Respondent has violated the Kansas Nurse Practice Act as follows:

Count 1: K.S.A. 65 1120(a)(6) to be guilty of unprofessional conduct as defined as defined by rules and regulations of the board by violating the existing policies and procedures of the medical facility KAR 60-3-110 (b) without making or obtained adequate preparation or maintaining competency.

Count 2: K.S.A. 65-1120 (e)(1) to be guilty of professional incompetency by one or more instances invloving failure to adhere to the applicable standard of care to a degree which constitutes gross negligence, as determined by the Board.

WHEREFORE, petitioner requests a finding that the respondent has violated the Nurse Practice Act, that respondent's license to practice nursing in Kansas be revoked, and that costs of this action be assessed to the respondent in the amount of \$70.00.

Respectfully submitted,

Derek Schmidt
Kansas Attorney General

By:


Michael R. Fitzgibbons #12287
Assistant Attorney General
Kansas State Board of Nursing
Landon State Office Building
900 SW Jackson #1051
Topeka, KS 66612

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IN THE MATTER OF MARY ANNE TAYLOR

KSBN

License No 24-16040-102

Case No. 13-291-4

PROPOSED DEFAULT ORDER TO REVOKE LICENSE

NOW ON THIS 30th day of September, 2013, petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Michael R. Fitzgibbons, Assistant Attorney General, for a Hearing on the Petition. Respondent does not appear.

Wherefore, the Presiding Officer finds as follows:

1. Respondent is licensed to practice nursing in Kansas through October 31st, 2014. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent was sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper. Respondent does not appear.
3. Petitioner moves for issuance of a proposed default order revoking respondent's license. The petitioner's request is granted by default pursuant to K.S.A. 77-520.
4. The petition is hereby granted and incorporated into this order as if set forth herein. Respondent violated the Nurse Practice Act as alleged in the petition.
5. Per Petitioner's request, Respondent's license to practice nursing is revoked. Respondent may not practice nursing in Kansas.
6. Costs of the action of \$70 are assessed to respondent to be paid to the board by cash or money order within 30 days of the effective date of this order.
7. This Proposed Default Order shall become effective seven days after service or ten days after mailing of this order unless the Respondent files a written motion with the Board stating why the Proposed Default Order should be vacated and the order is then vacated.

8. If this Proposed Default Order becomes effective, the Respondent's request for administrative hearing is dismissed pursuant to K.S.A. 77-520(d).
9. Disciplinary counsel shall mail a copy of this proposed default order to respondent's last known address.

IT IS SO ORDERED.



Sandra Sharon, Presiding Officer
Office of Administrative Hearings
1020 S Kansas Ave.
Topeka, KS 66612-1327

NOTICE

Pursuant to K.S.A. 77-527, either party may request a review of this order by filing a petition for review with the Kansas State Board of Nursing. The petition for review shall state its basis. A petition for review must be filed within 7 days from the date this order becomes effective. Failure to timely request a review by the Kansas State Board of Nursing may preclude further judicial review. The petition for review shall be mailed or personally delivered to: State Board of Nursing - Legal Division, Landon State Office Building, 900 SW Jackson, Ste 1051, Topeka, KS 66612-1230.

Pursuant to K.S.A. 77-530, if neither party requests a review by the Kansas State Board of Nursing, then this initial order becomes final and binding on both parties on the 30th day following its service.

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


Michael R. Fitzgibbons, ~~Presiding Officer~~
Disciplinary Counsel
Kansas State Board of Nursing
900 S.W. Jackson, Suite #1051
Topeka, KS 66612-1230
785-296-4325

CERTIFICATE OF SERVICE

I certify that on the 2nd day of October, 2013, the foregoing copy of the PROPOSED DEFAULT ORDER TO REVOKE LICENSE was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Mary Anne Taylor
11518 Highway 54
Liberal, Kansas 67901


Michael R. Fitzgibbons 