

FILED

BEFORE THE KANSAS STATE BOARD OF NURSING

JUL 17 2009

IN THE MATTER OF

Case No. 09 044 0  
96 0342 0  
OAH No. 09BN0100

KSBN

Mark W. Stockman  
License No. 24 026854 121

**INITIAL ORDER**

Now on this 19th day of June 2009, the above-captioned matter comes on for hearing before the Kansas State Board of Nursing. Sandra L. Sharon, duly appointed as Presiding Officer pursuant to K.S.A. 77-514. The Petitioner, the Kansas State Board of Nursing (Board), appears through Assistant Attorney General, Alma A. Heckler, Disciplinary Counsel for the Board. The Respondent, Mark W. Stockman, appears in person.

Findings of Fact

1. In February 1979, the respondent was convicted in the Circuit Court of Broward County, Florida of robbery with the use of a deadly weapon, a felony crime against persons.
2. In November 1982, the respondent was convicted in the Circuit Court of Broward County, Florida of robbery, a felony crime against persons.
3. The respondent was released from parole in December 1993.
4. On January 17, 2009, the respondent filed an endorsement application in the State of Kansas with the Board. The Board denied the respondent's endorsement application.

Conclusions of Law

1. The Board has the authority to deny, revoke, limit, or suspend any license to practice nursing in the State of Kansas. Kansas Statutes Annotated (K.S.A.) 65-1120.
2. When an applicant has been found guilty of a felony crime against persons, no license shall be granted to that individual. K.S.A. 65-1120(2).

Conclusion

1. The respondent has been found guilty of more than one felony crime against persons. As such, pursuant to K.S.A. 65-1120(2), the respondent shall not be licensed to practice nursing in the State of Kansas.

2. The cost of this action shall be assessed against the respondent in the amount of \$70.00 pursuant to K.S.A. 65-1120(d).

Appeal Rights and Other Administrative Relief

Pursuant to K.S.A. 77-527, either party may request a review of this initial order by filing a petition for review with the Kansas State Board of Nursing. A petition for review must be filed within 15 days from the date this initial order was served. 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: Mary Blubaugh, Executive Director, Board of Nursing, Landon State Office Building, Suite 1051, 900 SW Jackson, Topeka, KS 66612-1230.

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.

Pursuant to K.S.A. 77-530, if a request for review is not made in the time and manner stated above, this initial order shall become effective as a final order 30 days after service.

OFFICE OF ADMINISTRATIVE HEARINGS

  
Sandra L. Sharon  
Presiding Officer  
Office of Administrative Hearings

CERTIFICATE OF SERVICE

On July 17, 2009, I mailed a copy of this document to:

Mark W. Stockman  
3530 NE Akin Blvd., #1018  
Lee's Summit, MO 64064

Mary Blubaugh, Executive Director  
Alma A. Heckler, Assistant Attorney General  
Kansas State Board of Nursing  
900 SW Jackson, LSOB, Ste. 1051  
Topeka, KS 66612

  
Staff Person  
Office of Administrative Hearings