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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  
BRIDGET A. (DAVIDSON) WEST  
License No. 24-30084-111

FILED  
SEP 28 2011  
KSBN

Case No. 08-001-5

**CONSENT AGREEMENT TO SURRENDER AND REVOKE LICENSE AND FINAL ORDER**

NOW ON THIS 29 day of Sept, 2011, the Kansas State Board of Nursing, represented by Assistant Attorney General, Danielle R. Sanger, and the Respondent, Bridget A. West, hereby enter into this agreement and proffer evidence and the hearing officer adopts those recommendations and makes the following findings of fact and orders:

**AGREED FINDINGS OF FACT**

The hearing officer makes the following findings of fact based on the evidence presented and statements of the parties.

1. Respondent is licensed to practice nursing in Kansas through 11/30/2011. The Kansas State Board of Nursing (Board) has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent's address of record is 408 S Woodchuck, Wichita KS 67209.
3. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 *et seq.* to examine, license and renew licenses 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.
4. The Board has requested that a petition be filed to take disciplinary action against the Respondent's license.

5. Following a petition being filed by the Board, a hearing would also be held at a later date at which time the Board would have to prove that Respondent violated K.S.A. 65-1120(a).
6. Respondent has the right to these hearings and the right to seek review of the findings from the hearings in accordance with the Kansas Administrative Procedure Act and the Kansas Judicial Review Act. Respondent is waiving those rights and knowingly and voluntarily entering into this agreement instead of proceeding to these hearings. This agreement will conclude Board action pending at this time against Respondent's license.
7. Respondent understands that pursuant to K.S.A. 77-515, Respondent may be represented, at Respondent's expense, by an attorney during these proceedings.
8. On or about 2/16/2011, a petition was filed to revoke Respondent's license.
9. The 2/16/2011 petition alleged the following:
  - a. On or about 4/3/2008, Respondent entered into a Consent Agreement with the Board of Nursing in order to resolve case number 08-001-5.
  - b. Per the 4/3/2008 Consent Agreement, Respondent agreed to the following conditions:
    - i. Respondent shall return his or her current license card to the Board with this Consent Agreement. Respondent shall receive a license card which shall be issued with an "S" placed in the status code portion of the license card to indicate that the license is suspended with a Stay. The card will have an "L" indicating the limitations on the practice.
    - ii. Respondent will participate in and complete the reasonable recommendations and requirements of the Kansas Nurses Assistance Program (KNAP); sign releases of information necessary for KNAP to evaluate and monitor Respondent and for KNAP to report information to the board. Respondent will be deemed to have completed the KNAP

program when KNAP issues written notification that Respondent has completed the program. Noncompliance with KNAP is a violation of this agreement.

- iii. Respondent must submit to random drug screens as determined or selected by the Board or by KNAP. The costs of the drug screens will be paid by the Respondent. Respondent agrees that a Positive Drug Screen is a violation of this agreement.
- iv. Respondent shall not seek or accept employment with a nursing registry, a temporary nursing service or agency, a home health care service or agency, or as a private duty nurse during the term of this agreement.
- v. Respondent shall immediately notify the Legal Division of any use of alcohol, if prohibited by KNAP, or controlled substances, or any violation of this Consent Agreement and Final Order.
- vi. The Respondent shall immediately inform all employers and prospective employers of this Consent Agreement and the Final Order.
- vii. Respondent shall send a money order for \$70 to the Board upon entering into this agreement to pay the cost of this action.
- viii. Respondent shall not violate the Kansas Nurse Practice Act during the duration of this agreement.
- ix. Respondent shall not violate the laws of the United States, of State, or of any political subdivision of any State during the term of this agreement. Traffic infractions shall not be considered violations of the law.
- x. Respondent will Submit Reports from the Respondent's employer to the attention of the Legal Division, Kansas State Board of Nursing, Landon State Office Building, 900 S.W. Jackson, Suite 1051, Topeka, Kansas 66612-1230 on the following schedule:

1. Once Respondent is employed in a position that utilizes his or her nursing license, a nursing performance report is due by the 10th day of every third Month until Respondent has caused the submission of four (4) separate nursing performance reports.
2. The report shall be prepared and signed by Respondent's immediate supervisor or by an R.N. who evaluates Respondent's performance on a regular basis and be based on the following guidelines:
  - a. Incorporation of information on facility letterhead stationary is preferred.
  - b. Letter format is acceptable, with the date of the report identified.
  - c. Evaluator's name, telephone number, address, license number and nursing credentials.
  - d. Respondent's name, address, telephone number, license number.
  - e. A short explanation of the Respondent's work performance in the following areas:
    - i. Standards met regarding facility policies and procedures.
    - ii. Compliance with the Kansas Nurse Practice Act.
    - iii. Supervisor evaluations.
    - iv. Overall appropriateness.
    - v. Interactions with patients.
    - vi. Interactions with staff and administration.

- xi. Respondent shall not practice without onsite supervision by a qualified nurse during the term of this Consent Agreement and Final Order. The parties agree that this provision prohibits the Respondent from practicing nursing unless the supervising nurse is present within the same facility as the Respondent and the supervising nurse is available for periodic inspection of Respondent's nursing tasks.
- xii. Respondent agrees to notify the Legal Division of any changes in address and phone number as well as all employment terminations or employer changes or additions. All such notifications shall be made in writing within fourteen (14) days of such a change.
- xiii. Respondent shall have a narcotic key restriction on her license for the first twelve (12) months after she secures employment that requires a nursing license. The narcotic key restriction prohibits the Respondent from passing of narcotics, wasting of narcotics or having access to narcotics. The narcotic key restriction also prohibits the Respondent from supervising nurses or others that have access to narcotics. After Respondent completes twelve (12) months of employment that requires a nursing license, without violating any terms of this agreement, she may request that the narcotic key restriction be removed from her license. Respondent's request shall include written verification from her employer, to the Kansas State Board of Nursing, as to whether the Respondent has been employed in a position that requires a nursing license; as to whether the Respondent has held that position for at least twelve (12) months; as to whether the Respondent has passed, wasted, had access to, or supervised others that had access to narcotics. With a showing that the narcotic key restriction term of this agreement has been met by the

- Respondent, and the Respondent is compliant with all other terms of this agreement, the narcotic key restriction will be removed from her license.
- c. Per the 4/3/2008 Consent Agreement, Respondent also agreed to the following conditions, as listed in paragraphs 21 and 22 of the Consent Agreement:
- i. Paragraph 21: Respondent acknowledges and agrees that upon a finding of Respondent not complying with the conditions or requirements of this Consent Agreement and Final Order, that Respondent's license to practice nursing in the State of Kansas, shall be immediately revoked.
  - ii. Paragraph 22: Respondent acknowledges and agrees that upon Respondent's license to practice nursing being revoked due to a finding of non-compliance with this Consent Agreement and Final Order, that Respondent will not again be licensed to practice nursing in the state of Kansas for a period of three years from the date of such revocation.
- d. Respondent failed to provide the Board with employment performance reports as required under paragraph 17(j) of her Consent Agreement.
- e. Respondent failed to notify the Board within 14 days of any changes in her employment status as required under paragraph 17(l) of her Consent Agreement.
- f. Respondent failed to complete the requirements of the Kansas Nurses Assistance Program as required under paragraph 17(b) of her Consent Agreement.
- g. On or about 9/26/2011, Respondent, through counsel, indicated that she wanted to surrender her license instead of proceeding to hearing.

#### **CONCLUSIONS OF LAW**

1. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 *et seq.* to examine, license and renew licenses 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.

2. Respondent has violated the Kansas Nurse Practice Act as follows:
  - a. K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the Board, by KAR 60-3-110(r), failing to comply with any disciplinary order of the board.

#### POLICY STATEMENT

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

#### DISPOSITION

1. Respondent is surrendering Respondent's license to practice nursing in Kansas.
2. Upon signing this agreement and returning it to the Board, Respondent shall not practice nursing in Kansas and shall not submit an application for reinstatement of her nursing license for a period of three years from the date of the revocation.
3. The Board will report this surrender and revocation to national data banks and in its newsletter. This is a disciplinary action on Respondent's license. The original of this document shall be kept in the Board's agency file.
4. Respondent acknowledges that this agreement is an open record pursuant to the Kansas Open Records Act, K.S.A 45-215 *et seq.*, and may be published or disseminated pursuant to a request.
5. If Respondent does seek reinstatement of Respondent's license, the agreed facts are admitted, and Respondent has waived the right to a hearing on the facts in this matter. However, to receive a reinstatement of Respondent's license, the Respondent will have the opportunity, at that time, to prove Respondent's fitness to practice nursing in Kansas.
  - a. Per *Vakas v. Kansas State Board of Healing Arts*, 248 Kan. 589 (1991), the factors to be considered in determining whether a license should be reinstated after a disciplinary finding has been made are the following:


- i. The present moral fitness of the petitioner;
- ii. The demonstrated consciousness of the wrongful conduct and disrepute which the conduct has brought the profession;
- iii. The extent of petitioner's rehabilitation;
- iv. The nature and seriousness of the original misconduct;
- v. The conduct subsequent to discipline;
- vi. The time elapsed since the original discipline;
- vii. The petitioner's character, maturity, and experience at the time of the original revocation;
- viii. The petitioner's present competence in medical skills.

6. The hearing/presiding officer whose signature appears below has been designated pursuant to K.S.A. 77-514 and K.S.A. 77-526 to act on behalf of the Board/agency head and to hear discipline cases on behalf of the Board/agency head and to render either initial orders or final orders, if by agreement of both parties, in those discipline cases.

7. By their signatures, the parties hereby acknowledge this agreement.

IN WITNESS WHEREOF, the parties hereto execute this CONSENT AGREEMENT TO SURRENDER AND REVOKE LICENSE AND FINAL ORDER.

**IT IS SO ORDERED.**

  
 \_\_\_\_\_  
 Bridget West  
 Respondent  
 408 S Woodchuck  
 Wichita KS 67209

9/26/11

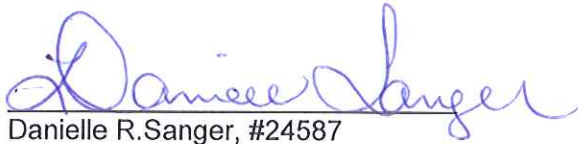
  
 \_\_\_\_\_  
 G. Craig Robinson, #1034  
 Attorney for Respondent  
 330 N. Main  
 Box 2474  
 Wichita KS 67201

Bridget West must sign in front of a notary public.










Danielle R. Sanger, #24587  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson #1051  
Topeka, KS 66612

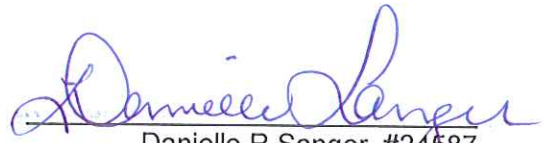
  
Sandra Sharon, Presiding Officer

CERTIFICATE OF SERVICE

On the 3<sup>rd</sup> day of October, 2011, I certify that I mailed a true copy of this  
CONSENT AGREEMENT TO SURRENDER AND REVOKE LICENSE AND FINAL ORDER to:

Bridget West  
408 S Woodchuck  
Wichita KS 67209

G. Craig Robinson  
Attorney at Law  
330 N. Main  
Box 2474  
Wichita KS 67201



Danielle R. Sanger, #24587  
Assistant Attorney General

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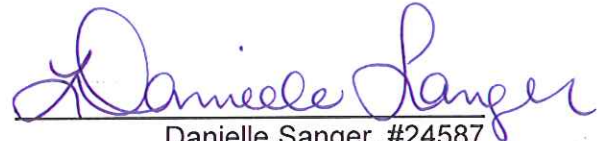
**SEP 27 2011**

**KSBN**

**NOTICE OF DISMISSAL**

COMES NOW the Kansas State Board of Nursing, represented by Assistant Attorney General, Danielle R. Sanger, and hereby dismisses the Petition filed herein for the following reasons:

The Respondent has signed a Consent Agreement To Surrender And Revoke License And Final Order.



Danielle Sanger, #24587  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson #1051  
Topeka, KS 66612

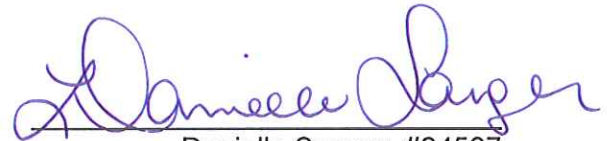
CERTIFICATE OF SERVICE

On the 27<sup>th</sup> day of September, 2011, I hereby certify that copies of the above and foregoing pleading, were placed in the U.S. Mail, postage prepaid, addressed to:

Bridget West  
408 S Woodchuck  
Wichita KS 67209

G. Craig Robinson  
Attorney at Law  
330 N. Main  
Box 2474  
Wichita KS 67201

Sandra L. Sharon  
Presiding Officer  
Office of Administrative Hearings  
1020 South Kansas Ave.  
Topeka, KS 66612



Danielle Sanger, #24587  
Assistant Attorney General