

Filed

OCT 22 2003

Board of Nursing

BEFORE THE KANSAS STATE BOARD OF NURSING
LANDON STATE OFFICE BUILDING, 900 S.W. JACKSON #1051
TOPEKA, KANSAS 66612-1230

**IN THE MATTER OF THE LICENSE OF
THERESA K. OAKS
RN NO. 24-31606-122**

CASE NO. 02-337-9

PROPOSED DEFAULT ORDER
SUSPENDING LICENSE

NOW ON THIS 22nd day of October, 2003, petitioner appears by disciplinary counsel, Betty Wright, for a pre-hearing conference on the petition. Respondent does not appear.

Wherefore, the hearing officer finds as follows:

1. Respondent is licensed as a L. P.N. through 12-31-2004. The board has jurisdiction over this matter.
2. Petitioner sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper.
3. Petitioner moves for issuance of a proposed default order suspending the respondent's license, until all fees, bad check charges and costs of this action are paid in full. Once paid, the suspension shall be stayed until the next licensing period and if respondent pays all fees and there are no further incidents of failure to pay licensing or practice fees, a license shall issue without a suspension or stay.
4. The petition is hereby granted and incorporated into this order as if set forth herein. Respondent violated K.S.A. 65-1120(a)
5. Per petitioner's request, respondent's license to practice nursing is suspended. Respondent may not practice nursing in Kansas and respondent shall return her license card to the board immediately, even if respondent does pay the fees, and costs, a new license shall issue reflecting the suspension and stay. The new license shall be issued with an "S".
6. Respondent shall pay the licensing fee in the amount of \$50.00. Costs of the action of \$70 are assessed to respondent to be paid to the board by certified check or money order within 30 days of the effective date of this order. Total amount owed is \$120.00
7. Disciplinary counsel shall mail a copy of this order to respondent's last known address.

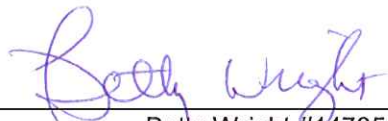
IT IS SO ORDERED



Terry E. Beck
Hearing Officer

NOTICE

This is a proposed default order pursuant to K.S.A. 77-520. This order becomes effective if respondent does not file a written motion requesting that this order be vacated with the board within seven days after the day this order is mailed. If a motion is timely filed, then a hearing will be set and notice given to respondent to appear. Another order will then be issued either vacating or affirming this order.



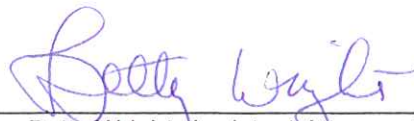
Betty Wright #14785
Disciplinary Counsel
900 S.W. Jackson, Suite #1051
Topeka, Kansas 66612-1230
785/296-4325

CERTIFICATE OF SERVICE

On the 22 day of October, 2003, I mailed a copy of this order by depositing it with the United States Postal Service, postage prepaid, addressed to:

Theresa Oaks
2220 Westchester #3
Manhattan, KS. 66503

Theresa Oaks
2140 Westchester Apt #5
Manhattan, KS. 66503



Betty Wright, Assistant Attorney General

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

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APR 01 2003
Board of Nursing

IN THE MATTER OF
THERESA OAKS
LICENSE NO. 24-031606-122

CASE NO. 02-337-9

PETITION

COMES NOW the petitioner, the Board of Nursing, by and through disciplinary counsel, Alma A. Heckler, and for its cause of action states that:

1. Respondent is licensed to practice nursing in Kansas as an LPN through 12/31/2004.
2. 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 or may issue a public or private censure if a violation of K.S.A. 65-1120(a) is established.
3. After an investigation, the Board found reasonable grounds for believing that respondent violated K.S.A. 65-1120(a) and referred the matter for further proceedings.

FACTS COMMON TO ALL COUNTS

From April 2, 2002 until June 27, 2002, the respondent worked in Kansas without being duly licensed or having a permit. This constitutes three (3) months of unlicensed practice. On 6/27/02, the respondent signed the Administrative Fine Agreement and paid \$50.00 of the \$150.00 fine. Respondent sent a second payment of \$50.00 on 8/16/02, but has failed to pay the final \$50.00 payment.

The respondent was sent a letter on February 5, 2003 and another letter on March 3, 2003, requesting the final payment. Licensee has not contacted the Board nor has the last payment of \$50.00 been received by the Board.

COUNTS

(a) Respondent has violated the Kansas Nurse Practice Act, K.S.A. 65-1120(a)(1) to be guilty of fraud or deceit in practicing nursing or in procuring or attempting to procure a license to practice nursing.

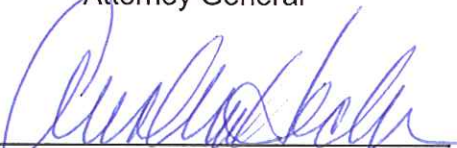
(b) Respondent has violated K.A.R. 60-3-110(v) practicing without a license or while the license has lapsed.

WHEREFORE, petitioner requests disciplinary action against and/or revocation of the respondent's license, payment of the remaining fine (\$50.00) and for \$70.00 costs to be assessed to respondent.

Respectfully submitted,

Phill Kline
Attorney General

By: _____


Alma A. Heckler #11555
Assistant Attorney General
Kansas State Board of Nursing
785-296-4325