

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

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JUN 22 2015

IN THE MATTER OF CHARLENE MARIE GRIFFIN

KSBN

License No. 24-36218-122

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Case No. 14-1951-3

INITIAL AGREED ORDER TO SURRENDER AND REVOKE LICENSE

NOW ON THIS 1 day of June, 2015, the Kansas State Board of Nursing, represented by Assistant Attorney General, Michael R. Fitzgibbons, and the Licensee, Charlene Marie Griffin, 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. Licensee is licensed to practice nursing in Kansas through December 2016. The Kansas State Board of Nursing (KSBN) has jurisdiction over the licensee and the subject matter of this action.
2. Licensee's address of record is 588 E. Iron Drive Sylvan Grove Kansas 67481.
3. 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 is established.
4. The Board has requested that a petition be filed to take disciplinary action against the licensee'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 licensee violated K.S.A. 65-1120(a).

6. Licensee 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 Act for Judicial Review and Civil Enforcement of agency actions. Licensee 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 licensee's license.

7. Licensee understands that pursuant to K.S.A. 77-515, licensee may be represented at licensee's expense by, an attorney during these proceedings.

- a. A petition was filed 5/6/2015 to take disciplinary action against the licensee's license.
- b. The petition alleged Licensee renewed her license on the 7<sup>th</sup> day of November 2014 and reported that she did not have the required thirty (30) hours of Continuing Nurse Education (CNE) completed prior to her renewal.
- c. Licensee failed to complete the CNE prior to completing her renewal application as required by K.S.A. 65-1117(A) and K.A.R. 60-9-106.
- d. That this licensee responded "no" to the question of "Have you obtained 30 hours of CNE for relicensure as required in KSA 65-117?"
- e. These incidents allegedly occurred on or about November 7th, 2014
- f. Licensee wishes to surrender her license and apply for social security benefits.

#### CONCLUSIONS OF LAW

8. 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.

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

Count 1: K.S.A. 65 1120(a)(1) unprofessional conduct by fraud or deceit in practicing nursing.

Count 2: K.S.A 65- 1120(a)(7) wilfully violating any of the provisions of the Kansas Nurse Practice Act and K.S.A. 65-1117(A) and K.A.R. 60-9-106 every licensee with an active nursing license shall submit with the renewal application evidence of satisfactory completion of a program of CNE as required by the Board which is 30 hours of CNE obtained within the prior licensing period.

**POLICY STATEMENT**

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

**DISPOSITION**

11. Based upon this Initial Agreed Order to Surrender and Revoke (Agreement), the parties agree that Licensee is surrendering licensee's license to practice nursing in the state of Kansas.

12. Based upon this agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that Licensee's license to practice nursing in Kansas is immediately revoked. Licensee shall not practice nursing in the state of Kansas.

13. Upon signing this agreement and returning it to the Board, licensee shall return any license cards in Licensee's possession with the agreement.

14. The Board will report this surrender and revocation to data banks, other entities, and in its newsletter. This is a disciplinary action on licensee's license. The original of this document shall be kept in the Board's agency file. This Agreement is a public record and will be reported to national disciplinary data banks. The effective date of this Initial Agreed Order to Surrender and Revoke is the date shown on the certificate of service.


15. If licensee does seek reinstatement of licensee's license, the agreed facts and listed violations are admitted, licensee has waived the right to a hearing on the facts in this matter, however to receive a reinstatement of licensee's license the licensee will have the opportunity at that time to prove licensee's fitness to practice nursing in Kansas.

16. 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.

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

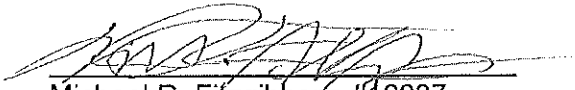
IN WITNESS WHEREOF, the parties hereto execute this INITIAL AGREED ORDER TO SURRENDER AND REVOKE LICENSE.


IT IS SO ORDERED.

  
Charlene Marie Griffin  
588 E. Iron Drive  
Sylvan Grove, Kansas 67481

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

  
Sandra Sharon, Presiding Officer

Pursuant to K.S.A. 77-527, either party may request a review of this initial order by filing a petition for reconsideration with the Kansas State Board of Nursing. A petition for reconsideration must be filed with 15 days from the date this initial order was served. Failure to timely request a reconsideration by the Kansas State Board of Nursing may preclude further judicial review. The petition for reconsideration 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.

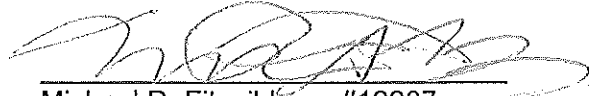
Pursuant to K.S.A. 77-531, if the initial order is served by mail, three days are added to the time limits set out above.

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

CERTIFICATE OF SERVICE

On the 1 day of June, 2015, I mailed a copy of this INITIAL AGREED ORDER TO SURRENDER AND REVOKE LICENSE to:

Charlene Marie Griffin  
588 E. Iron Drive  
Sylvan Grove, Kansas 67481



Michael R. Fitzgibbons #12287  
Assistant Attorney General