

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

FILED

JUN 22 2015

IN THE MATTER OF AMY LOUISE JAGER

KSBN

License No. 24-36952-072

Case No. 14-1718-9

SUMMARY ORDER

NOW ON THIS 22nd day of June, 2015, THE ABOVE MATTER COMES BEFORE THE Kansas State Board of Nursing (Board) pursuant to authority granted to the Board by K.S.A. 65-1120. The Board hereby proposed to find facts and take disciplinary action against the licensee's license by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. This Licensee is licensed to practice nursing in the state of Kansas. The Board has jurisdiction over the Licensee and the subject matter of this action.
2. Licensee's address of record is 12360 V4 Road Hoyt, Kansas 66440.
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. Review of the information gathered by the Board revealed the following upon which this action is based.
 - (a) According to a report, it is alleged that while licensee was employed at Plaza West, Topeka, Kansas, licensee diverted narcotic medication.
 - (b) This incident occurred on or about the 14th day of April, 2012.
 - (c) It is further alleged that the Jackson County Sheriff's Office received punch cards for medication from licensee's home.
 - (d) Medication log sheets from Plaza West were found in licensee's home.
 - (e) This allegedly occurred on or about the 10th day of February 2013.
 - (f) Licensee was contacted by KSBN Investigator on the 1st day of December 2014 and she failed to respond,
 - (g) Licensee was terminated from her employment on the 25th day of April, 2012..

5. This Licensee violated the Nurse Practice Act by unprofessional conduct by diverting narcotics from her employer and drug usage causing impairment of her abilities to practice nursing.

CONCLUSIONS OF LAW

a. K.S.A. 65-1120(a)(6), unprofessional conduct, by drug diversion K.A.R. 60-3-110(n) in past conduct;

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

c. K.S.A. 65-1120(a)(4) unable to practice with skill and safety due to current abuse of drugs or alcohol.

d. K.S.A. 65-1120 (3) to be guilty of unprofessional conduct failing to furnish the board, its investigators, or its representative with any information legally requested by the board KAR 60-3-110 (t).

6. Pursuant to K.S.A. 65-1120(a), the Kansas State Board of Nursing may deny, revoke, limit or suspend any license, certificate of qualification or authorization to practice nursing as a registered professional nurse , as a licensed practical nurse, as an advanced registered nurse practitioner or as a registered nurse anesthetist that is issued by the board or applied for under authorization, if the Licensee, Licensee or holder of a certificate of qualifications or authorization is found to have violated the Nurse Practice Act.

7. The above fact findings established evidence that the Licensee violated the following provisions of the Nurse Practice Act:

Count 1: K.S.A. 65-1120(a)(6), unprofessional conduct, by drug diversion K.A.R. 60-3-110(n) in past conduct;

Count 2: K.S.A. 65 1120(a)(1) unprofessional conduct by fraud or deceit in practicing nursing.

Count 3: K.S.A. 65-1120(a)(4) unable to practice with skill and safety due to current abuse of drugs or alcohol.

Count 4: K.S.A. 65-1120 (3) to be guilty of unprofessional conduct failing to furnish the board, its investigators, or its representative with any information legally requested by the board KAR 60-3-110 (t).

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

POLICY STATEMENT


1. Diverting narcotics from licensee's employer is a violation of the public trust.
2. Drug usage poses a threat to the practice of nursing and her safety to practice.

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT

1. **Licensee's license to practice nursing in the state of Kansas is revoked.**
2. **Licensee shall pay \$100 costs of this action to the Board within thirty (30) days of the effective day of this Order.**

Pursuant to K.S.A. 77-537, the decision, which is called a Summary Order, is subject to your request for hearing. If you desire a hearing, you must submit or direct a **written** request for hearing to: Kansas State Board of Nursing, Legal Division, 900 SW Jackson, Suite 1051, Topeka, Kansas 66612-1230, (785) 296-4325. **THIS REQUEST MUST BE SUBMITTED WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS ORDER.** If a hearing is not requested in the time and manner stated, this Summary Order becomes effective as a final order, without further notice, upon the expiration of the time for requesting a hearing.

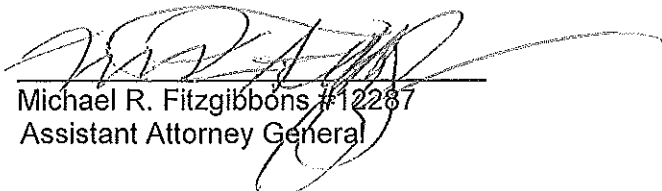
Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.


Judith Hiner RN, BSN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

On the 22nd day of June, 2015, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Amy Louise Jager
12360 V4 Road,
Holton, Kansas 66440


Michael R. Fitzgibbons #12287
Assistant Attorney General