

BEFORE THE KANSAS STATE BOARD OF NURSING

Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

FILED

AUG 30 2011

KSBN

**IN THE MATTER OF
DARRYL L. ROBINSON
License No. 24-40770-112**

Case No. 10-1383-0

PROPOSED DEFAULT ORDER TO REVOKE LICENSE

NOW ON THIS 30th day of August 2011, Petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Danielle R. Sanger, for a Pre-Hearing on the Petition. Respondent does not appear in person or by phone.

Wherefore, the Presiding Officer finds as follows:

1. Respondent is licensed to practice nursing in Kansas through 11/30/2012. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent was sent a copy of the Petition and Notice of Hearing to Respondent's last known address of record, and service is proper. Respondent does not appear.
3. Petitioner moves for issuance of a proposed default order revoking Respondent's license. The Petitioner's request is granted by default pursuant to K.S.A. 77-520.
4. The Petition is hereby granted and incorporated into this order as if fully set forth herein. Respondent violated the Nurse Practice Act as alleged in the Petition.
5. Per Petitioner's request, Respondent's license to practice nursing is revoked. Respondent may not practice nursing in Kansas.
6. Costs of the action of \$70 are assessed to Respondent to be paid to the Board by cashier's check or money order within 30 days of the effective date of this order.
7. Respondent shall immediately forward his or her original Kansas nursing license to the Kansas State Board of Nursing.

8. This Proposed Default Order shall become effective seven days after service, or ten days after mailing, of this order unless the Respondent files a written motion with the Board stating why the Proposed Default Order should be vacated and the order is then vacated.
9. Disciplinary counsel shall mail a copy of this proposed default order to Respondent's last known address of record.

IT IS SO ORDERED.

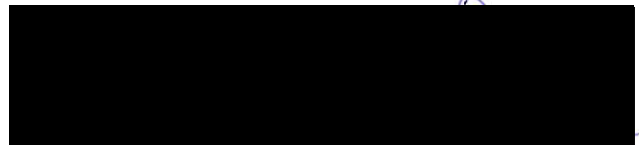


Sandra L. Sharon, Presiding Officer
Office of Administrative Hearings
1020 S Kansas Ave.
Topeka, KS 66612-1327

NOTICE

Pursuant to K.S.A. 77-520, a party against whom a proposed default order is issued may file a written motion to vacate the order. A motion to vacate the proposed default order must be timely filed within 7 days following service of the proposed default order. If no timely motion to vacate the proposed default order is received and granted, the proposed default order becomes final without further proceedings or notice in 30 days after the service of the proposed default order.

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

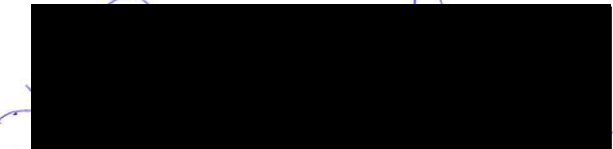


Danielle R. Sanger, #24587
Disciplinary Counsel
Kansas State Board of Nursing
900 S.W. Jackson, Suite #1051
Topeka, KS 66612-1230
785-296-4325

CERTIFICATE OF SERVICE

I certify that on the 30th day of August 2011, a true and correct copy of the foregoing Proposed Default Order Revoking License was deposited in the United States Mail, first-class postage prepaid, addressed to the following:

Darryl Robinson
1212 E. 116th Terrace
Kansas City MO 64131



Danielle R. Sanger, #24587
Assistant Attorney General

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

**IN THE MATTER OF
DARRYL L. ROBINSON
License No. 24-40770-112**

Case No. 10-1383-0

FILED
JUL 27 2011
KSBN

PETITION

COMES NOW the Petitioner, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Danielle R. Sanger, and for its cause of action states that:

1. Respondent, Darryl L. Robinson, is licensed to practice nursing in Kansas through 11/30/2012. The Board has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent's address of record is 1212 E. 116th Terrace, Kansas City MO 64131.
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. 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.

FACTS COMMON TO ALL COUNTS

5. The facts below are common to all counts:

- a. On or about 11/5/2010, the Board received information regarding Respondent, alleging that the Missouri Board of Nursing had taken disciplinary action against Respondent's Missouri nursing license.
- b. On or about 1/21/2011, the Board received a certified copy of the Missouri disciplinary action indicating that Respondent's Missouri nursing license was currently suspended for failure to file/pay Missouri income taxes.
- c. In a letter dated 5/10/2011, Board investigator Betty Stewart informed Respondent that a case had been opened to investigate the Missouri discipline. The letter stated that Respondent should call Betty Stewart at his earliest convenience.
- d. On 6/14/2011, the 5/10/2011 letter was returned to Betty Stewart as "return to sender, unable to forward."
- e. In a letter dated 6/16/2011, Board investigator Betty Stewart informed Respondent that his case was reviewed by the Investigative Committee and that Respondent could complete 3-6 hours of CNE on Professional Accountability and 2 hours of CNE on the Kansas Nurse Practice Act to resolve his disciplinary case. The letter indicated that Respondent had to contact the Board by 7/1/2011 to accept the offer.
- f. On 6/20/2011, the 6/16/2011 letter was returned to Betty Stewart as "return to sender, unable to forward."
- g. In a letter dated 6/24/2011, Board investigator Betty Stewart informed Respondent that his case had been transferred to the Board's disciplinary counsel.
- h. On 6/27/2011, the 6/24/2011 letter was returned to Betty Stewart as "return to sender, unable to forward."

- i. On or about 7/25/2011, the Board's disciplinary counsel attempted phone contact with Respondent by calling the Respondent's phone number of record. An individual picked up the phone at the phone number of record and stated that the Board had the wrong number.

VIOLATIONS

6. Respondent has violated the Kansas Nurse Practice Act as follows:
 - a. Count 1: K.S.A. 65-1120(a)(8), to have a license to practice nursing as a registered nurse or as a practical nurse denied, revoked, limited or suspended, or to be publicly or privately censured, by a licensing authority of another state, agency of the United States government, territory of the United States or country or to have other disciplinary action taken against the applicant or licensee by a licensing authority of another state, agency of the United States government, territory of the United States or country.

WHEREFORE, Petitioner requests a finding that the Respondent has violated the Nurse Practice Act, that Respondent's license to practice nursing in Kansas be revoked, and that costs of this action be assessed to the Respondent in the amount of \$70.00.

Respectfully submitted,

Derek Schmidt
Kansas Attorney General

By:


Danielle R. Sanger #24587
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900 SW Jackson #1051
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