

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

FILED

AUG 19 2015

KSBN

IN THE MATTER OF KENA SUZANNE ZIMMERMAN

License No. ENDORSEMENT APPLICANT

Case No. 15-289-0

SUMMARY ORDER

NOW ON THIS 19th day of August, 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 renewal application of Applicant by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. Applicant has an application for endorsement pending to practice nursing in the state of Kansas. The Board has jurisdiction over the Applicant and the subject matter of this action.
2. Applicant's address of record is N91W17045 Appletree Ct, Apt 5 Menomonee Falls WI 53051.
3. On or about 4th of June, 2015, the Board received Applicant's investigative summary on her license to practice nursing in the State of Kansas.
4. Review of the Summary and other information gathered by the Board revealed the following information upon which this action is based.
 - a. According to a report, it is alleged that applicant was arrested in June 2001 by Hartford Police department for violations.
 - b. Applicant was arrested in June 2002 for shoplifting and convicted.
 - c. Arrested in October 2003 for law violations and convicted in November 2003.
 - d. Applicant was arrested in April 2012 by Menomonee Falls for operating a vehicle while under the influence and convicted in July 2012 fined.

- e. Applicant's Driver license revoked for six (6) months.
- e. In March, 2015, applicant submitted an endorsement application.
- f. Based on criminal history that she failed to report, applicant was referred to the KNAP program for evaluation and possible monitoring to determine safety to practice in the state of Kansas in May 2015.
 - g. Applicant failed to comply with Board's request.
 - h. Applicant was contacted by KSBN regarding her desire to withdraw her endorsement must be in writing on the 8th day of June, 2015.
 - i. Applicant failed to respond.
 - j. Applicant also had misdemeanor convictions that were not reported to KSBN.

CONCLUSIONS OF LAW

1. 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 Applicant, Applicant or holder of a certificate of qualifications or authorization is found to have violated the Nurse Practice Act. The above fact findings established evidence that the Applicant violated the following provisions of the Nurse Practice Act:
 - (a) K.S.A. 65-1120(a)(1), to be guilty of fraud or deceit in procuring a license to practicing nursing.
 - (b) K.S.A. 65-1120(a)(6), unprofessional conduct, by inaccurately recording, falsifying or altering documents.
 - (c) K.S.A. 65-1120(a)(7), willfully and repeatedly violation provisions of the Kansas Nurse Practice Act by failing to complete the requirements of impaired provider program KAR 60-3-110(s).

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

2. Applicant's conduct described herein violated the Kansas Nurse Practice Act and renders the applicant non-qualified for endorsement.
3. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorized by use of the summary proceedings does not violated any provision of law and the protection of the public interest does not require the state agency to give notice and opportunity to participate to persons other than the parties.
4. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

POLICY STATEMENT

1. Failure to cooperate with the Impaired Provider Program prevents the Board from monitoring the Applicant and assuring the public of the safety of the nurse.
2. Truthfulness is a hallmark of the nursing profession and is required to ensure accurate communication of all nursing actions

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


1. **Applicant's endorsement application to practice nursing in the state of Kansas is denied.**

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.

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 19th day of August, 2015, I deposited a copy of this SUMMARY ORDER with the United States Postal Service, postage pre-paid, addressed to:

Kena Suzanne Zimmerman
N91W17045 Appletree Ct, Apt 5
Menomonee Falls. WI 53051



Michael R. Fitzgibbons #12287
Assistant Attorney General