

BEFORE THE KANSAS STATE BOARD OF NURSING

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

FILED

AUG 29 2013

IN THE MATTER OF

RITA SUE GLAZE

License No. 23-10995-072

KSBN

Case No. 12-1689-6 & 13-429-6

CERTIFICATE OF SERVICE

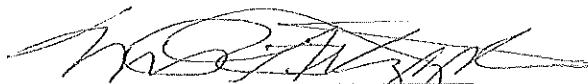
On the 29TH day of August, 2013, I hereby certify that I mailed a copy of INITIAL AGREED ORDER which was filed on the 28th day of August, 2013, to:

Rita Sue Glaze
P.O. Box 659
Lacygne, KS 66040

And to:

FORBES LAW GROUP, LLC
ATTN: Frankie J. Forbes
6900 College Blvd Suite 840
Overland Park, KS 66211

A copy of said Initial Agreed Order is attached hereto.



Michael R. Fitzgibbons, #12287
Assistant Attorney General

13BN 0168

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BEFORE THE KANSAS STATE BOARD OF NURSING

Landon State Office Building, 900 S.W. Jackson #1051
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IN THE MATTER OF RITA SUE GLAZE

AUG 28 2013

License No. 23-10995-072

KSBN

Case No. 12-1689-6 and 13-429-6

28th **INITIAL AGREED ORDER**

NOW ON THE 28th day of August, 2013, 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 by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. Respondent, Rita Sue Glaze, is an applicant for reinstatement of license to practice nursing in Kansas. The Board has jurisdiction over the Licensee and the subject matter of the action.
2. Applicant's address of record is P.O. Box 659 LaCygne, Kansas 66040.
3. Ther case was submitted to the Investigative Committee on the 25th of April, 2013.
4. Review of the investigation and other information gathered by the Board revealed the following information upon which ther action is based.
5. 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 ther matter for further proceedings.
6. 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.

7. (a) A petition was filed May 23rd, 2013 to take disciplinary action against the licensee's license.

FACTS COMMON TO ALL COUNTS

8 The facts below are common to all counts:

- (a) While working at Midwest Health, this applicant worked as a nurse after license lapsed.
- (b) Licensee previously had her license reinstated in January, 2011.
- (c) Licensee admitted that she was working at Midwest Health from the 15th day of June, 2011 to the 14th of November, 2012.
- (d) Unlicensed practice fine agreement and fine paid in full.
- (e) Applicant was to complete the 2 hour CNE on the Kansas Nurse Practice Act by the 15th day of March, 2013.
- (f) Applicant never submitted the letter agreement nor complete the CNE as requested.
- (g) The check used to pay for reinstatement application was returned as insufficient funds.
- (h) The the fees and costs were paid on the 15th of April, 2013.
- (i) Applicant admitted that she had been working as a nurse after her temporary permit expired and prior to submitting 30 hours of CNE to have her license reinstated.
- (j) Unlicensed practice fine agreement signed and fine paid in full as 2nd offense of unlicensed practice.

9. The above incidents are violations of the nurse practice act. The Respondent agrees that the board is prepared to prove that respondent has violated the act and stipulates to the allegations alleged in the Petition.

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)(6), unprofessional conduct, by inaccurately recording, falsifying or altering documents.

Count 3: K.S.A. 65-1120(a)(6) and KAR 60-3-110 (v) unprofessional conduct by practicing with a license or while the license was lapsed.

10. Respondent has the right to a hearing with evidence and witnesses and to seek review of the findings from that hearing in accordance with the Kansas Administrative Procedure Act and the Act for Judicial Review and Civil Enforcement of agency actions. Respondent is waiving those rights and voluntarily entering into their agreement instead of proceeding to such a hearing.

CONCLUSIONS OF LAW

11. 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.

12. 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)(6), unprofessional conduct, by inaccurately recording, falsifying or altering documents.

Count 3: K.S.A. 65-1120(a)(6) and KAR 60-3-110 (v) unprofessional conduct by practicing with a license or while the license was lapsed.

POLICY STATEMENT

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

DISPOSITION

14. By entering into the Initial Agreed Order and consenting to the entry of the Initial Order, both parties waive their right to full administrative proceedings pursuant to K.S.A. 65-1120 and K.S.A.77-501 et seq. and to judicial review.

15. Based upon their agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that the Initial Agreed Order will continue through any renewal periods of respondent's nursing license until respondent completes each of the conditions and requirements of their agreement. Further, the parties agree that in the event of a lapse of Respondent's nursing license, reinstatement of Respondent's nursing license shall be contingent upon their Initial Agreed Order remaining in effect until Respondent completes each of the conditions and requirements of their agreement.

16. The Kansas State Board of Nursing will grant the applicant's request for a reinstatement of Nursing license in the State of Kansas and will not take additional disciplinary action against respondent's nursing license for the violations stated above as long as respondent completes each of the following conditions and requirements:

(a) Respondent will Submit Reports from the respondent's employer to the attention of the Legal Division, Kansas State Board of Nursing, Landon State Office Building, 900 S.W. Jackson, Suite 1051, Topeka, Kansas 66612-1230 on the following schedule: First report will be due on September 10th, 2013 and the 10th of every third month until four (4) reports have been submitted. These reports are performance reports while in a position that requires a nursing license.

(b) Respondent shall send a money order for \$70 to the Board upon entering into their agreement to pay the cost of their action.

(c) Respondent shall not violate the Kansas Nurse Practice Act during the duration of the agreement.

(d) Respondent shall not violate the laws of the United States, of State, or of any political subdivision of any State during the term of their agreement. Traffic infractions shall not be considered violations of the law.

(e) Respondent agrees to notify the Legal Division of any changes in address and phone number as well as all employment terminations or employer changes or additions. All such notifications shall be made in writing within fourteen (14) days of such a change.

18. Respondent acknowledges and agrees that Respondent is responsible for the costs related to satisfying the conditions and requirements of their Initial Agreed Order. Respondent further acknowledges and agrees that to provide the Board with false information regarding compliance with the Initial Agreed Order is a violation of the Initial Agreed Order.

19. If Respondent does not meet these conditions and requirements, the Kansas State Board of Nursing may request additional sanctions against Respondent's license or application for a license. Respondent would be sent notice of such action and would be entitled to a hearing as to whether Respondent had complied with their Final Order and Consent Agreement, but Respondent could not contest the violations listed in their agreement.

20. All parties understand that if an action based on failure to meet the conditions and requirements of their Final Order and Consent Agreement is filed, K.S.A. 77-531 requires the Notice of Hearing to be served upon the Respondent and the Respondent's attorney of record, if any. All parties agree that only serving the Notice of Hearing upon the Respondent will be proper service and it is the Respondent's responsibility to contact her or her attorney, if any, in reference to the action.

21. Respondent acknowledges and agrees that if any action based on failure to meet the conditions and requirements of their Initial Agreed Order is filed during the term of the Initial Agreed Order, or within 30 days after the expiration date, the conditions of their Initial Agreed Order shall continue in effect until the Board or a hearing/presiding officer designated pursuant to K.S.A. 77-514 and K.S.A. 77-526, rules on the action.

22. The Board will inactivate the case file once respondent satisfies the agreement. The agreement does not prohibit the agency from taking disciplinary action against Respondent's license for any additional or cumulative violation of the Kansas Nurse Practice Act committed by the Respondent before or after the agreement is entered into.

23. The agreement is a discipline and must be reported on any future renewal or reinstatement applications. The agreement is a contract entered into by the parties to resolve an investigative case. The original of the agreement shall be placed in the Agency Record. The Agreement is a public record and will be reported to national disciplinary data banks.


24. After successful completion of all of the conditions and requirements of the Initial Agreed Order by the respondent, the Initial Agreed Order will be satisfied and the case will be inactivated.

25. By signing the Initial Agreed Order, Respondent acknowledges that Respondent has read and understands the entire document, and agrees to be bound by its terms. The Initial Agreed Order constitute the entire agreement of the parties and may not be modified except in writing and approved by all parties. The effective date of the Initial Agreed Order is the date shown on the certificate of service.


26. 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.

IN WITNESS WHEREOF, the parties hereto execute the INITIAL AGREED ORDER.

IT IS SO ORDERED.



Respondent
Rita Sue Glaze
P.O. Box 659
Lacygne, Kansas 66040
Respondent

must sign before a Notary Public.


And

Michelle Beckman #257116

For

FORBES LAW GROUP, LLC
Attn Frankie J. Forbes
6900 College Blvd Suite 840
Overland Park, Kansas 66211
Attorney for Respondent

Michael R. Fitzgibbons #12287

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

Sandra Sharon, Presiding Officer

Pursuant to K.S.A. 77-527, either party may request a review of the final 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 the final 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 final 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, the initial order shall become effective as a final order 30 days after service.

CERTIFICATE OF SERVICE

On the ~~22~~^{28th} day of August, 2013, I mailed a copy of the INITIAL AGREED ORDER:

~~Alfred Mujuri Njogu
210 S. Water Street Apt 32
Olathe, Kansas 66061~~

Michael R. Fitzgibbons #12287
Michael R. Fitzgibbons, #12287
Assistant Attorney General