

BEFORE THE KANSAS STATE BOARD OF NURSING

LONDON STATE OFFICE BUILDING, 900 S.W. JACKSON #1051
TOPEKA, KANSAS 66612-1230

Filed
SEP 22 2004
Board of Nursing

IN THE MATTER OF
SHERRY BODKINS
LICENSE NO. 13-72080-111

CASE NO. 04-176-7

DEFAULT ORDER SUSPENDING LICENSE

NOW ON THIS 22nd day of September, 2004, petitioner appears by disciplinary counsel, Betty Wright, for a Hearing on the Petition. Respondent does not appear.

Wherefore, the hearing officer finds as follows:

1. Respondent is licensed through 11/30/2005 as an R.N. The board has jurisdiction over this matter.
2. Petitioner sent a copy of the petition and notice of this hearing to respondent's last known address, service is proper. *Respondent fails to appear. TED*
3. Petitioner moves for issuance of a proposed default order suspending license.
4. The petitioner's request is granted by default.
5. The petition is hereby granted and incorporated into this order as if set forth herein.
6. Respondent violated the Nurse Practice Act by violating:

K.S.A. 65-1120 (a) (3) to have committed an act of professional incompetency as defined in subsection (e); *Professional incompetency defined.* As used in this section, "professional incompetency" means: (3) a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing;

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

K.A.R. 60-3-110(n) diverting drugs, supplies, or property of any patient or agency;

K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct, K.A.R. 60-3-110(s) failing to complete the requirements of the impaired provider program of the board.

7. Costs of the action of \$70 are assessed to respondent to be paid to the board by cash or money order within 30 days of the effective date of this order.

8. Respondent shall forward original Kansas R.N. license immediately to the Kansas State Board of Nursing.
9. Disciplinary counsel shall mail a copy of this order to respondent's last known address.

IT IS SO ORDERED.

Terry E. Beck, Hearing Officer

This is a proposed default order pursuant to K.S.A. 77-520. This order becomes effective if respondent does not file a written motion requesting that this order be vacated with the board at:

State Board of Nursing –Legal Division
Landon State Office Building
900 SW Jackson, Ste 1051
Topeka, KS 66612-1230

within seven days after the day this order is mailed. If a motion is timely filed, then a hearing will be set and notice given to respondent to appear. Another order will then be issued either vacating or affirming this order.

CERTIFICATE OF SERVICE

I certify that on the 22nd day of September, 2004, the foregoing copy of the Default Order Suspending License was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Sherry Bodkins
1804 Elizabeth
Winfield, KS 67156

Betty Wright #14785
Disciplinary Counsel
900 S.W. Jackson, Suite #1051
Topeka, Kansas 66612-1230
785/296-7047