

FEB - 4 2004

BEFORE THE KANSAS STATE BOARD OF NURSING Board of Nursing

Landon State Office Building, 900 S.W. Jackson #551-S
Topeka, Kansas 66612-1230

In The Matter Of
LAURA BOTTOMS
LICENSE NO. 13-077587-042

CASE NO. 01-467-5

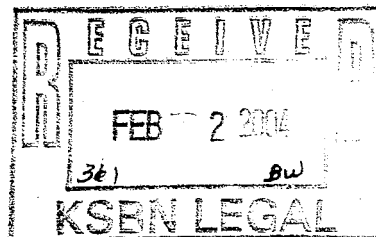
CONSENT AGREEMENT TO SUSPEND LICENSE AND FINAL ORDER

Now on this 29th day of January, 2004, the Kansas State Board of Nursing, represented by Assistant Attorney General, Betty Wright, and the licensee, Laura Bottoms, hereby enter into this agreement and proffer evidence and the hearing officer adopts those recommendations and makes the following findings of fact and orders:

AGREED FINDINGS OF FACT

The hearing officer makes the following findings of fact based on the evidence presented and statements of the parties.

1. Licensee is licensed as a nurse through 4/30/2004. The Board has jurisdiction over the licensee and the subject matter of this action.
2. 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(a) is established.
3. The Board has requested that a petition be filed to take disciplinary action against the licensee's license.
4. Following a petition being filed by the Board, a hearing would also be held at a later date at which time the Board would have to prove that licensee violated K.S.A. 65-1120(a).



5. Licensee has the right to these hearings and the right to seek review of the findings from these hearings in accordance with the Kansas administrative procedure act and the Kansas act for judicial review and civil enforcement of agency actions. Licensee is waiving those rights and knowledgeably and voluntarily entering into this agreement instead of proceeding to these hearings. This agreement will conclude Board action pending at this time against licensee's license.
6. By entering into this Consent Agreement and consenting to the entry of the Final Order, both parties waive their right to full administrative proceedings pursuant to K.S.A. 65-1120(b) and K.S.A.77-501 *et seq.* and to judicial review.

CONCLUSIONS OF LAW

7. The board's investigation found that the respondent may have violated the nurse practice act in April 2001. Licensee had made some medication errors and was acting impaired while employed at Via Christi, Wichita, Kansas. A urine drug screen was positive for cocaine and narcotic substances. The respondent denies use of illicit drugs.
8. Licensee states that in January 2004 she became incoherent and was hospitalized. She has a diagnosis of disassociative reaction and has severe memory problems. Licensee is in the care of two psychiatrists and she agrees that her nursing practice should be suspended until she is mentally competent to practice nursing.
9. The Board had referred her to KNAP in 12/2001 for an evaluation for substance abuse.
10. The board alleges that respondent has violated:

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

K.A.R. 60-3-110(r) failing to comply with any disciplinary order of the Board.

K.A.R. 60-3-110(s) failing to complete the requirements of the impaired provider program of the Board.

POLICY STATEMENT

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

DISPOSITION

12. Licensee will agree to **suspend** her license to practice nursing in Kansas.

13. Upon signing this agreement and returning it to the Board, licensee shall **return her license card** with the agreement. A new card will be issued with an **S. Licensee shall not practice nursing in Kansas.**

14. The Board does report this suspension to data banks, other entities, and in its newsletter. This is a disciplinary action on her license. The original of this document shall be kept in the Board's agency file and its contents may be disclosed to the public upon request.

15. If licensee does seek to stay the suspension of her license, the agreed facts are admitted, she has waived her right to a hearing on the facts in this matter, however to receive a stay, the licensee will request the stay of suspension in writing, provide a statement from her psychiatrist that she is now safe to practice nursing, provide a urine drug screen that indicates she is clean of illicit drugs, and that any narcotics present are as prescribed by her physician. There may be further requirements, depending upon the documents presented, at the time of the motion to stay the suspension.

16. By their signatures, the parties hereby acknowledge this agreement.

IN WITNESS WHEREOF, the parties hereto execute this CONSENT AGREEMENT TO SUSPEND LICENSE AND FINAL ORDER.

Terry Beck
Hearing Officer

Prepared by:

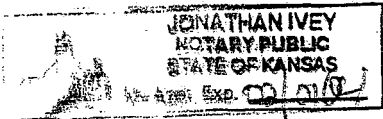
Betty Wright
Assistant Attorney General
900 SW Jackson, Suite 1051
Topeka, Kansas 66612-1230
785-296-4325

Laura Bottoms
Licensee
1440 S. Main
Wichita, KS 67213

State of Kansas)
County of Sedg) SS

Subscribed to before me by Laura Bottoms on this 29 day of 01, 2004.

(seal)



Signature of Notary Public

CERTIFICATE OF SERVICE

On the 5th day of February, 2004, I mailed a copy of this document to:

Laura Bottoms
1440 S. Main
Wichita, KS 67213

Betty Wright