FILED

JAN 15 2010

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

IN THE MATTER OF
SHANNON L. ARNOLD
License No. 13-73530-022

Case No. 07-1081-7

SUMMARY ORDER

Now this 14th day of January 2010, 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 proposes to find facts and take disciplinary action against the registered nurse license of Shannon L. Arnold (Respondent) by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. Respondent is licensed to practice nursing in the state of Kansas through the 28th day of February 2010. The Board has jurisdiction over the Respondent and the subject matter of this action.

2. Respondent's address of record is 2918 N. 75th Terr, Kansas City, KS 66109.

3. On or about October 11, 2007, Respondent's employment with Correct Care Solutions was terminated for failure to follow policies and procedures related to administration of controlled substances and record-keeping.

4. According to the reporting party, Respondent was suspected of diverting Klonopin throughout her employment with Correct Care Solutions.

5. By letter of May 8, 2008, addressed to Respondent at her address of record, the Board's investigator advised Respondent of the allegations and requested Respondent call at her earliest convenience.

6. To date, Respondent has not responded, and the letter was not returned as undeliverable.

7. By letter of December 14, 2009, addressed to Respondent at her address of record, the Board's investigator again invited Respondent to respond to the allegations and provide information about any subsequent substance abuse treatment and subsequent employment. The investigator requested Respondent call at her earliest convenience.

8. To date, Respondent has not responded, and the letter was not returned as undeliverable.

CONCLUSIONS OF LAW

9. 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 this act or may publicly or privately censure a licensee or holder of a certificate of qualification or authorization upon making any of the findings listed in K.S.A. 65-1120(a).

10. The above findings of fact establish the following grounds for discipline:

a. K.S.A.65-1120(a)(1), to be guilty of fraud or deceit in practicing nursing or in procuring or attempting to procure a license to practice nursing;
b. K.S.A. 65–1120(a)(6), unprofessional conduct as defined by K.A.R. 60-3-110(c), failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient;
c. K.S.A. 65–1120(a)(6), unprofessional conduct as defined by K.A.R. 60-3-110(d), inaccurately recording, falsifying, or altering any record of a patient or agency or of the board;
d. K.S.A. 65–1120(a)(6), unprofessional conduct as defined by K.A.R. 60-3-110(n), diverting drugs, supplies, or property of any patient or agency; and
e. K.S.A. 65–1120(a)(6), unprofessional conduct as defined by K.A.R. 60-3-110(t), failing to furnish the board, its investigators, or its representatives with any information legally requested by the board.

11. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency if the use of summary proceedings does not violate any provision of law and the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties.

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

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT Respondent's license to practice nursing in the state of Kansas is REVOKED.

Pursuant to K.S.A. 77-537, this decision, which is called a Summary Order, is subject to your request for a 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.

PN

Janet Jacobs, LPN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 15th day of January, 2010, I served a true and correct copy of the foregoing Summary Order by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Shannon L. Arnold
2918 N. 75th Terr
Kansas City, KS 66109

Brenda J. Clary, #18770
Assistant Attorney General