

August 4th, 2008

Christopher B. Bias
34 Glory Way
Ona, WV 25545

Case No. 08-114-0
License No. Applicant

SUMMARY ORDER

Dear Mr. Bias:

The Investigative Committee of the Kansas State Board of Nursing (KSBN) has reviewed your application materials. It is the decision of the Board that your endorsement application to practice nursing as a registered nurse in Kansas is denied. This denial is based upon the following:

FINDINGS OF FACT

1. On or about 9/25/2007, members of the Kanawha County, West Virginia, Sheriff's department were conducting a prostitution investigation. During the investigation, Deputy Shipman, came into contact with Applicant. While speaking with Deputy Shipman, Applicant stated he wanted "everything" for \$25.00. Deputy Shipman advised Applicant that if he wanted to have sex to meet her at specific location. Applicant then drove to the specified location where he was arrested for Solicitation For Prostitution.

On or about 1/7/2008, Respondent was convicted of Solicitation For Prostitution, a misdemeanor, in the Magistrate Court of Kanawha, County, West Virginia, case number OM-12944.

On or about 2/7/2008, the Board received Respondent's application for endorsement to practice nursing in the state of Kansas as a registered nurse. Within the application Applicant revealed the above listed conviction.

The KSBN investigation of the conviction reveals Applicant has not reported the above referenced conviction to the West Virginia Board of Nursing for any possible disciplinary action.

CONCLUSIONS OF LAW

2. 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

this act or may publicly or privately censure a licensee or holder of a certificate of qualification or authorization, if the applicant, licensee or holder of a certificate of qualification or authorization is found to have violated the Nurse Practice Act. The above fact findings establish evidence that the applicant violated the following provisions of the Nurse Practice Act:

(a) K.S.A. 65-1120(a)(3), Professional Incompetency by K.S.A. 65-1120(e)(3), a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing.

3. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency when denying an application in whole or in part.

4. Your conduct described herein violates the Kansas Nurse Practice Act.

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

6. If you wish to dispute this matter, contact the Board immediately by following the procedure for requesting a hearing. A copy of your application will be sent to you upon request.

7. 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 above, this Summary Order becomes effective and final upon the expiration of the time for requesting a hearing.


Tamara Hutchison, RN, BSN
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 4th day of August, 2008, the foregoing copy of the Summary Order was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Christopher B. Bias
34 Glory Way
Ona, WV 25545



Mark A. Knight, #12183
Assistant Attorney General