

January 25, 2008

Rebecca C. Evans  
1220 W. Sheridan  
Olathe, KS 66061

Case No. 07-714-0  
License No. Applicant

**SUMMARY ORDER**

Dear Ms. Evans:

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. (a) On or about 11/24/2004, a discipline order was entered by the Missouri Board of Nursing (MBN) against the Applicant's license to practice nursing in the state of Missouri. Among other things the MBN made a finding the Applicant diverted controlled substances for her own use. The MBN place Applicant on probation for a period of three (3) years.
- (b) On or about 12/20/2004, Applicant entered a Diversion Agreement for a charge of Giving a Worthless Check, in the District Court of Johnson County, Kansas, case number 04CR2765.
- (c) On or about 2/16/2005, Applicant was convicted of Prescription Fraud, a misdemeanor, in the District Court of Johnson County, Kansas, case number 04CR2888.
- (d) On or about 4/15/2005, Applicant was ordered to Probation for a period of twelve (12) months in Johnson County, Kansas District Court case number 04CR2888.
- (e) On or about 6/8/2005, Applicant was convicted of Operating A Motor Vehicle In A Careless And Imprudent Manner, a misdemeanor, in the Circuit Court of Platte, County, Missouri, case number 021733019.
- (f) On or about 12/13/2005, The MBN entered a second discipline order regarding the Applicant's license. The MBN placed Applicant on probation for a period of five (5) years following a finding Applicant violated the MBN discipline order entered on or about 11/24/2004. The finding made by the MBN included a finding Applicant relapsed on Hydrocodone.

(g) On or about 6/20/2007, The Kansas State Board of Nursing received Applicant's application to practice nursing in the state of Kansas.

### 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:

Count 1: 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.

Count 2: 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.

Count 3: K.S.A. 65-1120(a)(4), to be unable to practice with skill and safety due to current abuse of drugs or alcohol.

Count 4: K.S.A. 65-1120(a)(8), to have a license to practice nursing as a registered nurse or as a practical nurse denied, revoked, limited or suspended, or to be publicly or privately censured, by a licensing authority of another state, agency of the United States government, territory of the United States or country or to have other disciplinary action taken against the applicant or licensee by a licensing authority of another state, agency of the United States government, territory of the United States or country.

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.



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

CERTIFICATE OF SERVICE

I certify that on the 28<sup>th</sup> day of January, 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:

Rebecca C. Evans  
1220 W. Sheridan  
Olathe, KS 66061



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Mark A. Knight, #12183  
Assistant Attorney General