

, 2007

Courtney R. Slifer
108 W 5th St
Frankfort, KS 66427

License No. Unlicensed
Case Nos. 04-300-9, 05-868-9

SUMMARY ORDER

Dear Ms. Slifer:

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 initial application to practice nursing as a licensed practical nurse in Kansas is denied. This denial is based upon the following:

Ms. Slifer applied for a nursing license on or about September 15, 2005. Ms. Slifer failed at that time to include any court documents to verify reported convictions. A prior investigation had been completed by the Board due to alleged unlicensed practice and documents had already been collected by the Board investigator. Ms. Slifer was allowed to explain her convictions in a letter.

Ms. Slifer practiced unlicensed from 1/4/2005 to 3/20/2005. Ms. Slifer repeatedly told professional staff in a pediatrician's office in Manhattan, Kansas that she had taken her NCLEX-PN and passed. Ms. Slifer did not actually take the exam until 10/25/2005. She passed it at that time.

Ms. Slifer was offered the opportunity to enter an agreement with the Board and to pay a fine for the unlicensed practice. Ms. Slifer has never paid the fine. Ms. Slifer was also referred to KNAP but Ms. Slifer failed to contact KNAP due to a conviction of misdemeanor DUI. Her case was closed by KNAP on or about May 26, 2006 because she failed to contact KNAP.

The case was referred back to the Investigative Committee of the Kansas State Board of Nursing and then referred for the Assistant Attorney General assigned to the Kansas Board of Nursing, and the disciplinary attorney was directed to prepare a summary denial of the initial LPN license.

FINDINGS OF FACT

1. (a) Respondent submitted an application for an initial LPN license on September 15, 2005 and passed the NCLEX-PN exam on 10/25/2005.

(b) Respondent remains unlicensed. She failed to respond to the Investigative Committee of the Kansas State Board of Nursing. Ms. Slifer practiced unlicensed from 1/4/2005 to 3/20/2005. Ms. Slifer repeatedly told other professional staff at Pediatric Associates in Manhattan, Kansas that she had taken her NCLEX-PN and passed.

(c) Respondent was convicted of Driving Under the Influence, Second Offense on 11/4/2003 in Pottawatomie County District Court 03TR880. In Marshall County, Kansas, Respondent was convicted of misdemeanor criminal damage to property. She destroyed property belonging to a young woman who was dating the father of her child. She failed to provide documentation of the convictions to the Board. The Board was aware of the convictions due to the prior instance of unlicensed practice. Respondent's history was investigated by Kathleen Chalkley due to the prior instance of unlicensed practice and she discovered the prior convictions. Respondent was allowed to explain the convictions in a letter.

(d) On 3/7/06, the Kansas Board of Nursing, Investigative Committee, reviewed the case again and made a direct referral to KNAP but the Respondent failed to contact KNAP and the KNAP case was closed in May of 2006. The case was again reviewed by the Investigative Committee in June of 2006 and directed the disciplinary attorney to prepare a Summary Denial of the initial LPN application.

CONCLUSIONS OF LAW

2. Count 1: 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.

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)(6), unprofessional conduct by K.A.R. 60-3-110 (v), practicing without a license or while the license has lapsed.

Count 4: K.S.A. 65-1120(a)(2) "to have been guilty of a felony or to have been guilty of a misdemeanor involving an illegal drug offense unless the applicant or licensee establishes sufficient rehabilitation to warrant the public trust..."

Count 5: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (r), failing to comply with any disciplinary order of the board.

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.

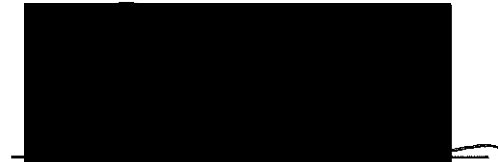


Judith Hiner, RN, BSN, CNA
Investigative Committee, Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 6th day of August, 2007, 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:

Courtney R. Slifer
108 W 5th St
Frankfort, KS 66427



Alma A. Heckler, #11555
Assistant Attorney General