

Kansas State Board Of Nursing

The KSBN is a regulatory agency that licenses Registered Nurses, Licensed Practical Nurses and Licensed Mental Health Technicians. The role of KSBN is to protect the citizens of Kansas. The regulatory process and licensing assures citizens of Kansas that nurses and licensed mental health technicians have met minimum competence requirements. Testing establishes minimum competence. Statutes and regulations found in the Kansas Nurse Practice Act (KNPA) define your scope of practice and outline unacceptable conduct. There are actions for which your license may be called into question. When a licensee's conduct is questioned, KSBN has authority to investigate and collect information. If a sworn complaint is received KSBN is required to investigate you.

How Do Investigations Start?

Most reports received by KSBN come from employers as a result of the peer review process under the Risk Management Act. Employers must report to KSBN any nursing actions that fall below the standard of care. These acts must have a reasonable probability of causing injury to a patient. They must also report any actions that may be a ground for discipline.

Reports can originate from any source. Other sources include the court system, law enforcement, newspapers, TV or radio reports, patients, neighbors, relatives, other agencies, individual health care providers, etc.

By law the agency may not/does not identify any reporters or sources.

Note: website www.ksbn.org

Who Investigates Me?

KSBN staff includes investigators who are licensed nurses. Cases are assigned to these five investigators.

What Happens During An Investigation?

Investigators collect information from many sources. Medical records, personnel records, agency record, and records of discipline on licensing from other states are reviewed. Investigators interview witnesses and take statements. Investigators interview licensees that are being investigated. During investigations licensees may offer evidence and statements to be considered. Investigators collect all information available, both positive and negative. The investigators organize, review and summarize all available information.

How Long Does The Process Take?

As a rule the process will be completed within 6 to 9 months. This process may be lengthened by other factors. These factors include reports received after the incident actually occurred or locating witnesses or clients that may have moved. Uncooperative witnesses or licensees, slow response to record requests or subpoenas by agencies or other states lengthen the process also.

What Happens If I Apply During An Investigation?

We receive applications for initial licensure, endorsement, renewal and reinstatement. Your completed application is a request for an order or a license. KSBN must acknowledge receipt and status of your application within 30 days. If a question is raised and you are investigated, KSBN must complete the process in 90 days or "as is practicable". KSBN licenses over 55,000 people and investigates an average of 1500 cases per year. The majority of requests/applications are processed immediately. If not immediately processed you will receive a letter of notification from KSBN on your application status

What Happens After The Investigation?

The Investigative Committee reviews all summaries and files. That committee is made up of three Board Members. They meet at every Board meeting (4 times a year) and sometimes between Board meetings. The committee decides what should be done with the file. The decisions include, but are not limited to 1) inactivation, 2) call for hearing or summary denial (resulting in formal discipline), 3) inactivation due to in-house/facility or self imposed education actions, 4) non-discipline probation agreements, 5) agreements to obtain specific CNE courses, and 6) referrals to the impaired provider program.

After the committee makes their decision, licensees are notified in writing of the Board's request/action. Not all actions result in formal discipline.

Disclaimer

The information provided in this pamphlet is not intended to be legal advice or a complete explanation of legal rights.

Assistant Attorney General

KANSAS STATE BOARD OF NURSING

THE INVESTIGATIVE PROCESS



Staff

Diane Glynn, J.D., R.N.
Practice Specialist
Patricia Byers
Administrative Specialist
Kathleen D. Chalkley, L.P.N.
Special Investigator II
Karen Peschka, R.N.
RN Senior Investigator
Betty Stewart, R.N.
RN Senior Investigator
Roxanna Uhlig, R.N.
RN Senior Investigator
Eva Curtis, R.N.
RN Senior Investigator
Katina Henderson
Senior Administrative Assistant
Danielle Sanger, J.D.
Assistant Attorney General
Alma Heckler, J.D.

Investigative Committee

Janet Jacobs, LPN, Chair
Derby, KS
Bernard Becker, Public Member, Vice-Chair
Topeka, Kansas
Judith Hiner, RN, BSN
Coffeyville, Kansas

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Kansas State Board of Nursing
900 SW Jackson, Suite 1051
Landon State Office Building
Topeka, Kansas 66612-1230
785-296-4325

