

**ELIGIBILITY AND DISCIPLINARY COMMITTEE REPORT FOR
May 9, 2017 and June 13, 2017**

The Eligibility and Disciplinary Committee (Committee) convened on May 9, 2017 and June 13, 2017. This report collectively summarizes the matters and decisions made at the time of the meeting¹.

Petitioners for Licensure

No petitions for licensure were considered by the Committee.

Petitioners for an Exception to a Previous Board Order

The Committee considered twenty (20) petitions for an exception to a previous board order:

1. Petitioner requested an Exception to a previous Board Order dated July 18, 2014, requesting she be granted an unencumbered license. It was the Committee's decision to **grant** an unencumbered license.
2. Petitioner requested an Exception to a previous Board Order dated January 19, 2012, requesting she be granted an unencumbered license. It was the Committee's decision to **grant** an unencumbered license, provided the Petitioner submits a letter from her pain management physician that she is fit to practice.
3. Petitioner requested an Exception to a previous Board Order dated January 23, 2014, requesting permission to teach CNAs in a classroom setting instead of providing direct patient care. It was the Committee's decision to **grant** the request for to teach for her current employer only.
4. Petitioner requested an Exception to a previous Board Order dated November 10, 2015, requesting she be allowed to work for an agency. It was the Committee's decision to **grant** the request to work for an agency.
5. Petitioner requested an Exception to a previous Board Order dated October 17, 2013, requesting unspecified supervision changes to her order. It was the Committee's decision to **grant** incident reporting with her current employer only.
6. Petitioner requested an Exception to a previous Board Order dated January 23, 2014, requesting he be credited for completing two years of supervision. It was the Committee's decision to **grant** an unencumbered license.

¹ This report should be reviewed in order to keep apprised of issues and decisions so that the Board may remain consistent with precedent.

7. Petitioner requested an Exception to a previous Board Order dated July 23, 2015, requesting she be allowed to administer narcotics. It was the Committee's decision to **grant** the request, provided the Petitioner submits a letter from her pain management physician that she is fit to practice.
8. Petitioner requested an Exception to a previous Board Order dated November 10, 2015, requesting an unencumbered license. It was the Committee's decision to **grant** an unencumbered license.
9. Petitioner requested an Exception to a previous Board Order dated October 22, 2015, requesting an unencumbered license. It was the Committee's decision to **grant** an unencumbered license.
10. Petitioner requested an Exception to a previous Board Order dated February 17, 2015, requesting an unencumbered license. It was the Committee's decision to **grant** an unencumbered license.
11. Petitioner requested an Exception to a previous Board Order dated June 14, 2016, requesting the supervision stipulations be modified and an extension to complete required course. It was the Committee's decision to **deny** modification to supervision stipulations but to **grant** an extension to complete remedial education courses.
12. Petitioner requested an Exception to a previous Board Order dated September 8, 2015, requesting an unencumbered license. It was the Committee's decision to **grant** a modification to allow incident reporting.
13. Petitioner requested an Exception to a previous Board Order dated June 8, 2010, requesting an unencumbered license. It was the Committee's decision to **continue** the request pending receipt of medical records, physician letter, chemical dependency evaluation, and drug test results for Executive Director's review and decision.
14. Petitioner requested an Exception to a previous Board Order dated February 9, 2016, requesting an unencumbered license. It was the Committee's decision to **continue** the request pending receipt of an employer letter for Executive Director's review and decision.
15. Petitioner requested an Exception to a previous Board Order dated April 21, 2016, requesting a modification to the supervision stipulation and drug screening. It was the Committee's decision to **grant** a modification from indirect supervision to incident reporting.
16. Petitioner requested an Exception to a previous Board Order dated September 2, 2014, requesting an unencumbered license. It was the Committee's decision to **approve** an order for remedial education: NCSBN course Critical Thinking and Nursing Jurisprudence and Ethics.

17. Petitioner requested an Exception to a previous Board Order dated December 9, 2014, requesting the supervision requirement be lifted. It was the Committee's decision to **grant** a modification from indirect supervision to incident reporting.
18. Petitioner requested an Exception to a previous Board Order dated October 23, 2014, requesting an unencumbered license. It was the Committee's decision to **continue** the request pending receipt of employment verification for Executive Director's review and decision.
19. Petitioner requested an Exception to a previous Board Order dated August 19, 2014, requesting the supervision stipulations be modified to allow supervision by a physician while employed with a specific employer. It was the Committee's decision to **grant** physician supervision.
20. Petitioner requested an Exception to a previous Board Order dated November 30, 2016, requesting modification to the supervision stipulation. It was the Committee's decision to **grant** relief from direct supervision stipulation for on-call situations only.

Motions for Rehearing

The Committee considered five (5) motions for rehearing:

1. Movant filed a timely Motion for Rehearing in this matter. Movant stated he failed to update his address with the Board. Movant was unable to explain the issues in the Formal Charges. Movant did not provide information sufficient to comply with Board Rule 213.16(j); however, it was the Committee's decision to **continue** the motion until the next meeting on June 13, 2017.
2. Movant filed a timely Motion for Rehearing in this matter. Movant explained she was using a friend's mailing address, but did not receive her mail. It was the Committee's decision to **grant** the motion, as the Movant provided information sufficient to comply with Board Rule 213.16(j).
3. Movant filed a timely Motion for Rehearing in this matter. Movant stated she was unable to attend the May E&D meeting due to car trouble. Movant did not provide information sufficient to comply with Board Rule 213.16(j); therefore, it was the Committee's decision to **deny** the motion.
4. Movant filed a timely Motion for Rehearing in this matter. Movant claims not to have received mail due to issues with the post office. Movant was granted a Motion for Rehearing in February 2016 for the same issue, and was subsequently revoked by default at the State Office of Administrative Hearings for failing to appear at her hearing. Movant did not provide information sufficient to comply with Board Rule 213.16(j); therefore, it was the Committee's decision to **deny** the motion.
5. Movant filed a timely Motion for Rehearing in this matter. This Motion for Rehearing was continued from the May 9, 2017 meeting. Movant agreed to enter into an Agreed Order if the revocation was set aside. It was the Committee's

decision to **grant** the motion, as the Movant provided information sufficient to comply with Board Rule 213.16(j) and an Agreed Order was entered at the June 13, 2017 E&D meeting.

Orders Ratified:

One hundred forty-five (145) disciplinary agreed orders were approved.

Seventeen (17) reinstatement agreed orders were approved.

Twenty-six (26) eligibility agreed orders were approved.

Sixty-eight (68) default revocation orders were approved.

One (1) deferred disciplinary action agreed order was approved.

Seven (7) KSTAR Pilot Program agreed orders were approved.