

BEFORE THE KANSAS STATE BOARD OF NURSING

Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

IN THE MATTER OF
Jennifer Michelle Collum

License No. 13-119237-072
KSBN Case No. 16-1049-4

**EFFECTIVE AS A
FINAL ORDER**

DATE: 10 April 2018

SUMMARY ORDER

The above matter comes before the Kansas State Board of Nursing (Board) pursuant to authority granted to the Board by K.S.A. 65-1120. The Board hereby proposes to find facts and take disciplinary action against the nurse license of Jennifer Collum, (Licensee) by way of Summary Order as provided by K.S.A. 77-537.

1. a. Licensee is licensed to practice nursing in the state of Kansas. The Board has jurisdiction over the Licensee and the subject matter of this action.
- b. Licensee's address of record is 1300 E 33rd Avenue, Apt. 703, Hutchinson KS 67502.
2. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.
3. 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 such person if certain enumerated grounds for disciplinary action are found. These grounds include various specific charges enumerated in K.S.A. 65-1120(a)(1) to (9), to include unprofessional conduct as defined by the rules and regulations of the Board.

Pursuant to K.S.A. 74-1110 the Kansas State Board of Nursing may also assess a civil fine not to exceed \$1,000.00 for the first violation of a law or rule and regulation applicable to the practice for which such person has been granted a license.

4. After an investigation, the Board's investigative committee found reasonable grounds to believe that the licensee violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
5. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency if the use of summary proceedings does not violate any provision of law, the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties, and the state agency believes in good faith, after investigation of the facts, that the allegations will be supported to the applicable standard of proof.

FINDINGS OF FACT

6. On or about April 22, 2016 the licensee was providing home health care for a female pediatric patient identified here by the initials M. P. Around 0645 the patient's foster mother detected a change in the patient's breathing, and licensee advised that the patient's oxygen sats had been in the 80s for about 30 minutes; nursing notes from 0612 showed O2 sats at 90-91%. The foster mother, not the licensee, discovered that the patient's trachea tube was out, so the foster mother replaced it. In doing so, she had to use a "step-down" size (3.5) to re-establish the airway, but was later able to insert the normal 4.5 size.

Licensee was suspended by her employer on April 25, 2016, and then after investigation fired on June 8, 2016 for "Failure to identify, address and report change in patient's condition."

VIOLATIONS

7. The above fact findings establish evidence that the Licensee violated the following provisions of the Kansas Nurse Practice Act:

Count 1: K.S.A. 65-1120(a)(3), to have committed an act of professional incompetency, i.e. one or more instances involving failure to adhere to the applicable standard of care to a degree which constitutes gross negligence, as determined by the board;

Count 2: K.S.A. 65-1120(a)(6) and K.A.R. 60-3-110, to be guilty of unprofessional conduct as defined by rules and regulations of the board; to wit: failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT

- 1. Licensee's license is indefinitely suspended.**
- 2. Licensee shall not practice nursing in the state of Kansas.**

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, this Summary Order becomes effective as a final order, without further notice, upon the expiration of the time for requesting a hearing. If a hearing is requested, the prior issuance of a summary order shall not affect the burden of proof. Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.

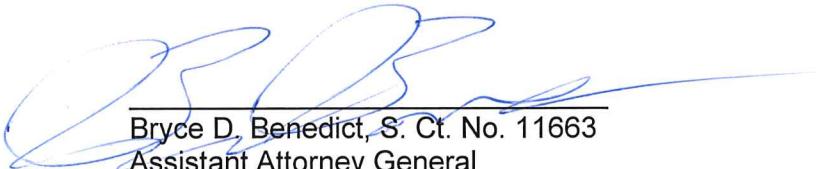


JoAnn Klaassen, RN, MN, JD
Investigative Committee, Vice Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 21st day of March, 2018, 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:

Jennifer Collum
1300 E 33rd Avenue
Apt. 703
Hutchinson KS 67502



Bryce D. Benedict, S. Ct. No. 11663
Assistant Attorney General

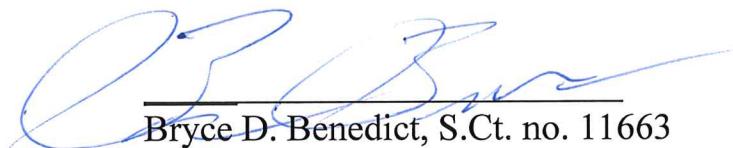
FINAL ORDER NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service. A party to an agency proceeding may seek judicial review of a Final Order by filing a petition in the District Court as authorized by K.S.A. 77-601, *et seq.* A petition must be filed within 30 days following service of the Final Order. A copy of any petition for judicial review must be served upon Carol Moreland, Executive Administrator, Kansas State Board of Nursing, 900 SW Jackson, Suite 1051, Topeka KS 66612.

CERTIFICATE OF SERVICE

I certify that on the 10th day of April, 2018, a copy of the Final Order, and Final Order Notice of Rights, were served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Jennifer Collum
1300 E 33rd Avenue
Apt 703
Hutchinson KS 67502



Bryce D. Benedict
Bryce D. Benedict, S.Ct. no. 11663
Assistant Attorney General