



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.  
*William P. Harman*  
Executive Director of the Board

**In the Matter of  
Permanent Registered Nurse  
License Number 753594  
Issued to KRIS RHODES KILE,  
Respondent**

§ **BEFORE THE TEXAS**  
§ **BOARD OF NURSING**  
§ **ELIGIBILITY AND**  
§ **DISCIPLINARY COMMITTEE**

**ORDER OF THE BOARD**

TO: Kris Kile  
704 Greenwood Ct  
Georgetown, TX 78628

During open meeting held in Austin, Texas, on November 12, 2019, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN. CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 753594, previously issued to KRIS RHODES KILE to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 12<sup>th</sup> day of November, 2019

TEXAS BOARD OF NURSING

BY: \_\_\_\_\_



KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charges filed August 22, 2019

d17r(2019.09.30)

Re: Permanent Registered Nurse License Number 753594  
Issued to KRIS RHODES KILE  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 13<sup>th</sup> day of NOVEMBER, 2019, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

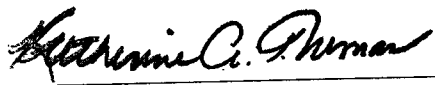
Via USPS Certified Mail, Return Receipt Requested,

Copy Via USPS First Class Mail

Kris Kile  
704 Greenwood Ct  
Georgetown, TX 78628

Copy Via USPS First Class Mail

Kris Kile  
7051 Genny Circle  
Anchorage, AK 99507

BY: 

KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of  
Permanent Registered Nurse  
License Number 753594  
Issued to KRIS RHODES KILE,  
Respondent

§ BEFORE THE TEXAS  
§  
§  
§ BOARD OF NURSING  
§

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, KRIS RHODES KILE, is a Registered Nurse holding license number 753594 which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

### CHARGE I.

On or about March 28, 2019, Respondent's Alaska Registered Nurse License was issued a Consent Agreement by the Alaska Board of Nursing, Anchorage, Alaska. A copy of the Consent Agreement dated March 28, 2019, is attached and incorporated by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license(s) and/or privilege(s) to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33.

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

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CONTINUED ON NEXT PAGE.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

Filed this 22<sup>nd</sup> day of August, 2019.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Abel, Deputy General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 24036103

Helen Kelley, Assistant General Counsel  
State Bar No. 24086520

Skyler Landon Shafer, Assistant General Counsel  
State Bar No. 24081149

JoAnna Starr, Assistant General Counsel  
State Bar No. 24098463

Jacqueline A. Strashun, Assistant General Counsel  
State Bar No. 19358600

John Vanderford, Assistant General Counsel  
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701

P: (512) 305-8657

F: (512) 305-8101 or (512) 305-7401

Department of Commerce, Community and Economic Development  
Division of Corporations, Business and Professional Licensing  
550 West 7th Avenue, Suite 1500  
Anchorage, Alaska 99501-3567  
Telephone 907-269-8160 Fax 907-269-8195

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STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC  
DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL  
LICENSING  
BEFORE THE BOARD OF NURSING

In the matter of: )  
 )  
KRIS KILE )  
 )  
Respondent )  
Case No. 2015-000407

CONSENT AGREEMENT

IT IS HEREBY AGREED by the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing (Division) and Kris R. Kile. (Respondent) as follows:

1) **Licensure.** Respondent is currently licensed as a Registered Nurse (RN) and Advanced Nurse Practitioner (ANP) in the State of Alaska and holds Registered Nurse (RN) license NURR20410 which was first issued October 19, 2000 and which will expire unless renewed on November 30, 2018, and Advanced Nurse Practitioner (ANP) license NURU1356 which was first issued on March 28, 2013, and will lapse, unless renewed by November 30, 2018.

2) **Admission/Jurisdiction.** Respondent admits and agrees that the Board has jurisdiction over the subject matter of her license in Alaska and over this Consent Agreement.

3) **Facts, Allegations, and Admissions:** Respondent neither admits nor denies the following:

a) On June 25, 2018, the Division brought an Accusation against Respondent alleging violations of Alaska statutes and regulations in connection with prescriptions written for Patient #1. Respondent contested the allegations and requested a hearing.

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b) The Division and Respondent voluntarily entered into a mediation process to further explore the allegations and determine whether a settlement could be reached.

c) In connection with the mediation, Respondent provided information to the Division, and the Division conducted additional witness interviews. Based on this new information, the Division issued an Amended Accusation.

d) The Amended Accusation supersedes the Accusation of June 25, 2018

e) The Division and Respondent agree that on December 24, 2013, a prescription was written in Respondent's name for an inhaler for Patient #1. The Division and Respondent agree that if Respondent wrote the prescription, the basis for the prescription was inadequately charted in Respondent's records.

f) The Division and Respondent agree that on October 28, 2014, Respondent wrote a prescription for hydrocodone for Patient #1. The Division alleges that charting relating to dosage and reasons for selection of dosage were inadequate.

g) The Division and Respondent agree that on February 25, 2015, a prescription was called in in Respondent's name for an anti-yeast agent for Patient #1. The Division and Respondent agree that if Respondent authorized the prescription, the basis for the prescription was inadequately charted in Respondent's records.

4) As a result of the above facts, grounds exist for possible disciplinary sanctions of Respondent's license pursuant to AS 08.01.075, AS 08.68.270, and 12 AAC 44.770.

5) **Formal Hearing Process.** It is the intent of the parties to this Consent Agreement to provide for the compromise and settlement of all issues raised in the Amended Accusation dated November 28, 2018 to revoke, suspend, or impose disciplinary sanctions against Respondent's license through a formal hearing process.

6) **Waiver of Rights.** Respondent understands she has the right to consult with an attorney of her own choosing and has a right to an administrative hearing on the facts in this case. Respondent understands and agrees that by signing this Consent Agreement, Respondent is waiving her rights to a hearing. Further, Respondent understands and agrees that she is relieving the Division of any burden it has of proving the facts admitted

1 above. Respondent further understands and agrees that by signing this Consent  
2 Agreement she is voluntarily and knowingly giving up her right to present oral and  
3 documentary evidence, to present rebuttal evidence, to cross-examine witnesses against  
4 Respondent, and to appeal the Board's decision to Superior Court.

5 7) **Entire Agreement.** The Consent Agreement's findings and contents shall not  
6 otherwise be considered an admission of any violation by Respondent other than as stated.

7 8) **Effect of Non-Acceptance of Consent Agreement.** Respondent and the  
8 Division agree that this Consent Agreement is subject to the approval of the Board. They  
9 agree that, if the Board rejects this Consent Agreement, it will be void, and a hearing on  
10 the Amended Accusation shall commence. If this Consent Agreement is rejected by the  
11 Board, it will not constitute a waiver of Respondent's right to a hearing on the matters  
12 alleged in the Amended Accusation and the admissions contained herein will have no  
13 effect. Respondent agrees that, if the Board rejects this Consent Agreement, the Board  
14 may decide the matter after a hearing, and its consideration of this Consent Agreement  
15 shall not alone be grounds for claiming that the Board is biased against Respondent, that  
16 it cannot fairly decide the case, or that it has received ex parte communication.  
17 Respondent understands that the Board may confer off the record with the mediator for  
18 purposes of deliberating on this Consent Agreement.

19 9) **Consent Agreement, Decision, and Order.** Respondent agrees that the  
20 Board has the authority to enter into this Consent Agreement and to issue the following  
21 Decision and Order.

22 **PROPOSED DECISION AND ORDER**

23  
24 IT IS HEREBY ORDERED that the license issued to Respondent is under probation.  
25 This license shall be subject to the following terms and conditions of license probation.  
26



1                   **A. Duration of Probation**

2                   Respondent's license shall be on probation for eighteen (18) months from the  
3 effective date of this Order. If Respondent fully complies with all of the terms and  
4 conditions of this license probation, the probationary period will end as conditioned under  
5 this Order. The eighteen (18) months probationary period will not be reduced by the  
6 following periods:

- 7                   (1) any absence from the state in excess of 30 continuous days.  
8                   (2) any absence from the state in excess of 60 aggregate days in a single year.  
9                   (3) any period during which Respondent is not a resident of the State of Alaska.  
10                  (4) any period in which Respondent does not hold an active license in Alaska.  
11                  (5) any period in which Respondent's license is suspended.

12                  It will be Respondent's duty to inform the Probation Monitor in writing in advance  
13 of any absence from Alaska, and any move from Alaska to another licensing jurisdiction.

14                   **B. File Audit**

15                  The Probation Monitor shall coordinate a review of at least ten (10) of  
16 Respondent's patient files every three months for the duration of probation. The Probation  
17 Monitor will select the files which will then be reviewed by a contract reviewer of equal  
18 licensure approved by the board. After each review, the contract reviewer must submit a  
19 report to the Probation Monitor.

20                  Failure to make records available for immediate inspection and copying on the  
21 premises, or to comply with this condition as outlined above is a violation of probation.

22                  All costs are the responsibility of the Respondent.

23                   **C. Practice Monitor**

24                  The Respondent is required to have another health care licensee (ANP, physician,  
25 or physician's assistant) monitor her practice for the duration of license probation. This  
26 monitoring health care official (Practice Monitor) must be licensed in Alaska and meet  
27 the approval of the Board or its Executive Administrator. Within ten (10) calendar days  
28 of receipt of this Consent Agreement, the Practice Monitor shall submit a signed

1 statement that the monitor has read the Consent Agreement, fully understands the role of  
2 a Practice Monitor, and agrees with the proposed monitoring plan to review Respondent's  
3 practice and submit reports as required by this Consent Agreement.

4 If the Practice Monitor resigns or is no longer available, Respondent shall, within  
5 ten (10) calendar days of such resignation or unavailability, submit to the Board or its  
6 agent, for prior approval, the name and qualifications of a replacement Practice Monitor  
7 who will be assuming that responsibility within ten (10) calendar days.

8 If Respondent fails to obtain approval of a replacement Practice Monitor within  
9 thirty (30) days of the resignation or unavailability of the monitor, Respondent may be  
10 suspended from the practice of nursing until a replacement Practice Monitor is approved  
11 and prepared to assume immediate monitoring responsibility.

12 Failure to maintain all records, or to make records available for immediate  
13 inspection and copying on the premises, or to comply with this condition as outlined  
14 above is a violation of probation.

15 **D. Quarterly Reports**

16 Quarterly reports from the Practice Monitor are due during the entire length of  
17 probation as follows:

<u>Period Covered</u>	<u>Due Date(s)</u>
18 January 1 - March 31	between April 1 and April 7
19 April 1 - June 30	between July 1 and July 7
20 July 1 - September 30	between October 1 and October 7
21 October 1 - December 31	between January 1 and January 7

22 Failure to submit complete and timely reports shall constitute a violation of  
23 probation.

24 **E. Civil Fine**

25 Respondent is fined two thousand five hundred dollars (\$2,500.00) with \$2,500.00  
26 suspended. If Respondent violates this agreement, the suspended portion of the fine will  
27 become immediately due.  
28

29 All payments required by this Consent Agreement shall be addressed to:

1 Greg Francois, Chief Investigator  
2 Division of Corporations, Business and Professional Licensing  
3 550 West 7<sup>th</sup> Avenue, Suite 1500  
4 Anchorage, Alaska 99501-3567

5 **F. Additional Education**

6 During the period of probation, Respondent shall complete 35 hours of continuing  
7 education, in addition to the hours of continuing education required for renewal, in the  
8 following areas: prescriptive medication, ethics, professional boundaries, pain  
9 management principles/practice, and substance abuse/addiction process with patients.

10 All costs are the responsibility of the Respondent.

11 **G. Violation of Agreement**

12 If Respondent fails to comply with any term or condition of this Consent  
13 Agreement, the Division may enforce this agreement by immediately suspending  
14 Respondent's license, without an additional order from the Board or without a prior  
15 hearing, for a violation of this agreement.

16 If Respondent's license is suspended under this section, she will be entitled to a  
17 hearing within seven calendar days regarding the issue of the suspension, and entitled to  
18 a decision by the Board regarding the issue of the suspension within fourteen calendar  
19 days of the conclusion of the hearing. The Division and Respondent may, by agreement,  
20 extend the time limits in this paragraph. If the Board does not issue a decision at the  
21 conclusion of the fourteen calendar day period, the suspension is lifted until the Board  
22 issues a decision.

23 If Respondent's license is suspended, she will continue to be responsible for all  
24 license requirements pursuant to AS 08.64.

25 **H. Respondent's Address**

26 It is the responsibility of the Respondent to keep the Probation Monitor advised,  
27 in writing, at all times of her current mailing address, physical address, email address,  
28 telephone number, current employment and any change in employment.

1 Failure to provide notice of any changes within ten (10) calendar days will  
2 constitute grounds for suspension of her license in accordance with paragraph 'G'  
3 above.

4 **I. Authorization**

5 Within ten (10) calendar days of a request by the Board's agent, Respondent will  
6 sign all authorizations necessary for the release of information required by this Consent  
7 Agreement.

8 **J. Noncooperation by Reporting Persons**

9 If any person required by this Order to report to the Board fails or refuses to do,  
10 and after adequate notice to Respondent to correct the problem, the Board may terminate  
11 probation and invoke other sanctions as it determines appropriate.

12 All costs are the responsibility of the Respondent.

13 **K. Good Faith**

14 All parties agree to act in good faith in carrying out the stated intentions of this  
15 Consent Agreement.

16 **L. Compliance with Laws**

17 Respondent shall obey all Federal laws and State statutes and regulations  
18 governing her license, or relating to her fitness to practice.

19 **M. Address of the Board**

20 All required reports or other communication concerning compliance with this  
21 Consent Agreement shall be addressed to:

22 Attn: Probation Monitor  
23 Division of Corporations, Business and Professional Licensing  
24 550 West 7<sup>th</sup> Avenue, Suite 1500  
25 Anchorage, Alaska 99501-3567  
26 (907)269-8160 Fax (907) 269-8195

27 **N. Reprimand**

28 The Alaska Board of Nursing hereby publicly reprimands Kris R. Kile,  
29 ANP, for a single violation of inadequate charting in violation of 12 AAC  
30 44.770(10).

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IT IS HEREBY FURTHER ORDERED that this Decision and Order shall take effect immediately upon its adoption by the Board and is a public record of the Board and the State of Alaska. The State may provide a copy of it to any person or entity, professional licensing board, federal, state, or local government, or other entity making a relevant inquiry.

The action taken by the Board in this Consent Agreement will be reported to the National Council of State Boards of Nursing, the National Practitioner Data Bank, and other entities as required by law.

DATED this 6<sup>th</sup> day of December 2018, at Anchorage, Alaska.

JULIE ANDERSON, COMMISSIONER

By: Greg Francois

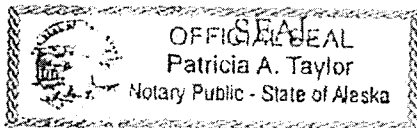
Greg Francois, Chief Investigator for  
Sara Chambers, Acting Director  
Division of Corporations, Business and  
Professional Licensing

I, Kris R. Kile, have read the Consent Agreement, understand it, and agree to be bound by its terms and conditions.

DATED: 12/4/18

Kris R. Kile  
Kris R. Kile

SUBSCRIBED AND SWORN TO before me this 7<sup>th</sup> day of  
December, 2018, at Chalutna, Alaska.



Patricia A. Taylor  
Notary Public in and for Alaska.

Patricia A. Taylor  
Notary Printed Name

My commission expires: 10/27/20

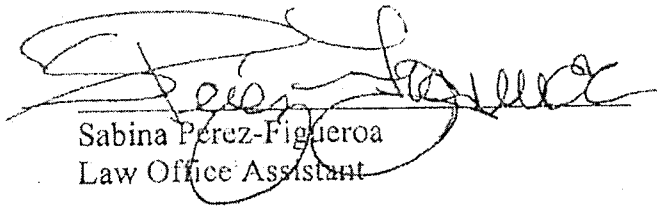
BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS  
ON REFERRAL BY THE COMMISSIONER OF [DEPARTMENT]

In the matter of: )  
)  
ITMO: Kris Kile ) OAH No. 18-0735-NUR  
)  
) Agency Reference No. 2015-000407

CERTIFICATE OF SERVICE

I certify that on December 17, 2018, true and correct copies of the Notice of Filing Original Consent Agreement, original signed, Consent Agreement and this Certificate of Service were served via Email, on the following:

David H. Shoup  
shoup@tindall-law.com

  
Sabina Perez-Figueroa  
Law Office Assistant

DEPARTMENT OF LAW  
OFFICE OF THE ATTORNEY GENERAL  
ANCHORAGE BRANCH  
1031 W. FOURTH AVENUE, SUITE 200  
ANCHORAGE, ALASKA 99501  
PHONE: (907) 269-5100

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STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC  
DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL  
LICENSING  
BEFORE THE BOARD OF NURSING

In the matter of: )  
)  
KRIS KILE )  
)  
Respondent )  
Case No. 2015-000407

ORDER

The Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case No. 2015-000407, Kris R. Kile, license numbers NURR20410 and NURU1356, adopted the Consent Agreement and Decision and Order in this matter.

This Consent Agreement takes effect immediately upon signature of this Order in accordance with the approval of the Board.

The Division may enforce the Consent Agreement by immediately suspending Respondent's license, without an additional order from the Board or without a prior hearing, for a violation of the Consent Agreement in the manner set forth therein.

DATED this 28 day of MARCH, ~~2015~~ <sup>2019</sup> at  
ANCHORAGE, Alaska.

ALASKA STATE BOARD OF NURSING

By: J. Toffler  
Board President