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KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of	)	
	)	
Olubukola Adebanjo, RT	)	Docket No. 10-HA00036
	)	
Kansas license No. 16-02128	)	

FINAL ORDER

NOW, on this 4th day of ~~November~~ December 2009, this matter comes before Kathleen Selzler Lippert, Interim Executive Director of the Kansas State Board of Healing Arts. After reviewing the file and being advised in the premises, the Interim Executive Director makes the following determinations.

1. On October 2, 2009 the Executive Director issued a Summary Order regarding the license of Olubukola Adebanjo, R.T. ("Licensee") to practice as a respiratory therapist in the state of Kansas. The Summary Order contained a provision for the Licensee to submit proof of 12 hours of continuing education, due on or before October 20, 2009.

2. On October 2, 2009, the Executive Director issued a Summary Order regarding the license of Olubukola Adebanjo, R.T. ("Licensee") to practice as a respiratory therapist in the state of Kansas. The Summary Order contained a provision assessing a $100 civil fine against Licensee for failure to have met the continuing education requirement at the time of renewal, due and payable within thirty (30) days of the effective date of the Summary Order.

3. The Summary Order contained a notice that a written request for hearing could be filed within 15 days following service, but if no hearing is requested, the Summary Order would

be come effective as a Final Order of the Board upon expiration of the time for the requesting a hearing.

4. No hearing has been requested by any party; therefore the Summary Order became effective as a final order on October 20, 2009

IT IS SO ORDERED

NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. Pursuant to K.S.A. 77-601 *et. seq.* a party to whom a Final Order is issued may petition for judicial review of this Final Order. The petition for judicial review must be filed within thirty (30) days of service of this Final Order. In the event a petition for judicial review is filed pursuant to K.S.A. 77-613(e), the Agency Officer to be served on behalf of the Kansas State Board of Healing Arts is Kathleen Selzler Lippert, Interim Executive Director, Kansas State Board of Healing Arts, 235 S Topeka Blvd., Topeka, Kansas 66603.

DATED this 4th day of ~~November~~ December, 2009

KANSAS STATE BOARD OF HEALING ARTS

Kathleen Selzler Lippert
Interim Executive Director

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Final Order was served this 9th day of ~~November~~ December, 2009 by United States mail, first class postage prepaid and addressed to:

Olubukola Adebanjo RT
12553 Wedd St
Overland Park, KS 66213

and a copy hand delivered to the office of:

Kelli Stevens
Litigation Counsel
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 6603-3068

Katy Lenahan
Licensing Administrator
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3068

and the original filed with the office of the Interim Executive Director.

Kathleen Selzler Lippert
Interim Executive Director
Kansas State Board of Healing Arts
235 S Topeka Blvd
Topeka, KS 66603

Cathy A. Brown

Cathy Brown
Executive Assistant

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KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of	)	
	)	Docket Number: 10-HA00036
Olubukola Adebanjo, RT	)	
License No. 16-02128	)	
	)	

SUMMARY ORDER

NOW ON THIS 2nd day of ~~September~~ October, 2009, this matter comes before Jack Confer, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537.

After reviewing the agency record and being duly advised in the premises, the following findings of fact, conclusions of law and order are made for and on behalf of the Board:

1. Olubukola Adebanjo, RT ("Licensee") was originally issued license number 16-02128 to practice as a respiratory therapist in the State of Kansas on December 6, 1997.

2. On or about March 26, 2009, Licensee submitted an application for renewal of their license.

3. Pursuant to K.S.A. 65-5512 and K.A.R. 100-55-7 each Licensee desiring to renew a respiratory therapy license must have completed at least 12 credits of continuing education and to provide proof of completion to the Board upon request

4. As part of the renewal process, Licensee certified that the rules regarding continuing education had been read, that compliance had been achieved, and that documentation of the continuing education would be maintained for a three-year period and produced to the Board upon request.

5. Licensee was randomly selected to provide verification of compliance with the continuing education requirements and on June 16, 2009, a letter was mailed to Licensee requesting that Licensee provide no later than July 20, 2009, the records relied upon when Licensee certified achievement of the required continuing education.

6. A second letter requesting proof of continuing education by August 7, 2009 was sent to licensee on July 21, 2009 by certified mail through the United States Postal Service.

7. The second request letter was signed for by a representative for the licensee on July 31, 2009.

8. Licensee failed to provide documented evidence of continuing education by the due date.

9. By failing to provide documented evidence of her continuing education, Licensee has violated K.S.A. 65-5510(a)(4), violating any lawful order or rule and regulation of the board, specifically K.A.R. 100-55-5(h) failing to furnish to the Board, or to its investigators or representatives, any information legally requested by the Board.

10. In addition to any other penalty prescribed under the Respiratory Therapy Practice Act, K.S.A. 65-5510 authorizes the Board to assess an administrative fine in an amount not exceeding $5,000 for the first violation of the Respiratory Therapy Practice Act.

IT IS, THEREFORE, ORDERED Licensee is hereby fined $100 for failure to respond to the Board's legal request for information. The fine is due within thirty days of the effective date of this order.

IT IS FURTHER ORDERED that licensee shall submit proof of the continuing education requirements for the previous year to the Board with fifteen days following service of this summary order.

PLEASE TAKE NOTICE that this is a summary order. A party to whom a summary order is issued may file a written request for a hearing within 15 days following service of the summary order. If a hearing is not requested, the summary order shall become effective as a final order of the Board upon expiration of the time for requesting a hearing. A request for a hearing must be addressed to Jack Confer, Executive Director, 235 South Topeka Boulevard, Topeka, Kansas 66603.

DATED this 2nd day of ~~September~~ October, 2009.

KANSAS STATE BOARD OF HEALING ARTS

Jack Confer
Executive Director

CERTIFICATE OF SERVICE

I, do hereby certify that on the 2nd day of ~~September~~ October, 2009, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

Olubukola Adebanjo, RT
12553 Wedd St
Overland Park, KS 66213

and a copy hand delivered to the office of:

Kathleen Selzler Lippert
Litigation Counsel
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 6603-3068

Katy Lenahan
Licensing Administrator
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3068

and the original filed with the office of the Executive Director.

Cathy A. Brown

Cathy Brown
Executive Assistant