

EFFECTIVE AS A FINAL ORDER

DATE: 5/21/19

FILED
MAY 09 2019
JFC

**BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS**

KS State Board of Healing Arts

In the Matter of)
Michael Arnold)
)
Application for License)
To Practice Radiologic Technology)
_____)

Docket No. 19-HA00055

**PROPOSED DEFAULT ORDER DENYING LICENSE
TO PRACTICE RADIOLOGIC TECHNOLOGY**

On April 12, 2019, the Kansas Board of Healing Arts (Board) held a conference hearing on Licensee’s Application for Licensure in to practice Radiologic Technology in Kansas. Michael Arnold (Applicant) appeared not. Matthew Gaus, Associate Litigation Counsel, appeared to present the response in opposition to the application on behalf of the disciplinary panel of the Board. The members of the disciplinary panel were recused from the Board’s consideration of this matter.

Pursuant to the authority granted to the Board by K.S.A. 65-6901 *et seq.* and in accordance with the provisions of the Kansas Administrative Procedure Act K.S.A. 77-501 *et seq.*, the Board enters this Proposed Default Order in the above-captioned matter.

Upon review of the Applicant’s application, the Board’s Response in Opposition to Applicant’s licensure, exhibits submitted, and being fully advised in the premise, the Board holds Licensee in DEFAULT for his failure to appear at the April 12, 2019 conference hearing on this matter, DENIES Applicant’s Application for Licensure, and makes the following determinations:

Facts:

1. A conference hearing on Applicant’s application for licensure was noticed for April 12, 2019, at the offices of the Kansas State Board of Healing Arts.
2. Pursuant to K.S.A. 2012 Supp. 77-531, Applicant was served with a Notice of Conference Hearing to Applicant’s mailing address via United States Mail, first-class postage prepaid, on or about March 6, 2019. The Notice of Conference Hearing provided Applicant notice that any party who fails to attend or participate in the Conference Hearing or other stage of a proceeding may be held in default.
3. Applicant failed to appear at the Conference Hearing held on April 12, 2019.
4. The Board finds the facts set forth in the Response in Opposition to Applicant’s application to practice radiologic technology are undisputed and are incorporated here by reference.

Conclusions of Law

Pursuant to K.S.A. 77-520, Licensee is in default for his failure to appear at the conference hearing on April 12, 2019.

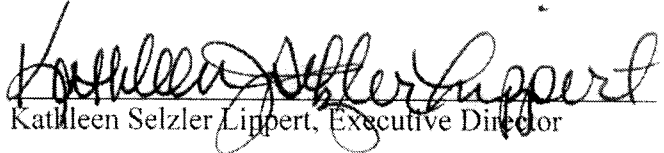
The Board concludes Applicant's application should be denied due to uncontested violations of the Radiologic Technology Practice Act as described in the Response in Opposition to Application for License to Practice as a Radiologic Technologist, incorporated here by reference.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee is hereby held in **DEFAULT** pursuant to K.S.A. 77-520.

IT IS FURTHER ORDERED that Applicant's Application for Licensure is **DENIED**.

Dated this 9 day of May, 2019.

KANSAS STATE BOARD OF HEALING ARTS


Kathleen Selzler Lippert, Executive Director

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.* Reconsideration of a Final Order is not a prerequisite to judicial review. A petition for judicial review is not timely unless filed within 30 days following service of the Final Order. A copy of any petition for judicial review must be served upon Kathleen Selzler Lippert, Executive Director, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing **FINAL ORDER DENYING LICENSE TO PRACTICE RADIOLOGIC TECHNOLOGY** was served this 21st day of May 2019 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Michael Arnold, LRT



Tulsa, OK 74119

And a copy was hand-delivered to:

Matthew Gaus, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

And the original was filed with the office of the Executive Director.

