

**EFFECTIVE AS A
FINAL ORDER**

DATE: 3/6/15

FILED

CAD

FEB 23 2015

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

KS State Board of Healing Arts

**In the Matter of
ELIZABETH BAKER, O.T.A.**

Docket No. 15-HA00059

Kansas License No. 18-01021

PROPOSED DEFAULT ORDER SUSPENDING LICENSURE

NOW on this 13th day of February, 2015, comes on for hearing before the Kansas State Board of Healing Arts ("Board"), the Petition for discipline filed against the license of Elizabeth Baker, O.T.A. ("Licensee") by the Board. Petitioner appears by and through Jane Weiler, Associate Litigation Counsel. Licensee fails to appear.

Pursuant to the authority granted to the Board by K.S.A. 65-5401, *et seq.*, and in accordance with the provisions of the Kansas Administrative Procedure Act K.S.A. 77-501 *et seq.*, the Board hereby enters this Proposed Default Order Suspending Licensure in the above-captioned matter. Having the agency record before it, and considering the evidence and the statements and arguments of Petitioner, the Board makes the following findings, conclusions and order:

1. Licensee is or has been entitled to engage in the practice as an occupational therapy assistant the State of Kansas, having been issued License No. 18-01021 on or about February 14, 2014.

2. A conference hearing on the Board's petition for discipline was noticed for February 13, 2015, at the offices of the Kansas State Board of Healing Arts.

3. Pursuant to K.S.A. 2013 Supp. 77-531, Licensee was served with a Notice of

Conference Hearing to Licensee's mailing address via United States Mail, first-class postage prepared on or about January 23, 2015.

4. The Notice of Conference Hearing provided Licensee notice that any party who fails to attend or participate in the Conference Hearing or other state of a proceeding may be held in default.

5. Licensee failed to appear at the Conference Hearing held on February 13, 2015.

6. Pursuant to K.S.A. 77-516 and K.S.A. 2013 Supp. 77-520, Licensee is in default for her failure to appear at the conference hearing on February 13, 2015.

7. Upon review of the agency record and after being fully advised in the premises, the Board finds and concludes that the facts and allegations set forth in the Petition are undisputed and incorporated herein by reference.

8. The Board concludes that Licensee's violation of the Occupational Therapy Practice Act warrants suspension of her license to practice as an occupational therapy assistant in the State of Kansas.

9. The Board further concludes that upon any request by Licensee for termination of the suspension, Licensee shall have the burden to demonstrate sufficient evidence of rehabilitation to a degree where she is able to practice with reasonable skill and safety and warrant the public trust as an occupational therapy assistant.

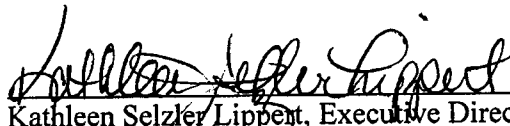
10. In the event Licensee is found to be sufficiently rehabilitated to warrant termination of the suspension, the Board may impose additional public protection sanctions for a reasonable period of time necessary to ensure Licensee's safety to practice.

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, BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee's license to practice as an occupational therapy assistant in the State of Kansas is hereby **SUSPENDED**.

IT IS FURTHER ORDERED that the Board shall maintain jurisdiction over this matter to issue future order(s) deemed necessary and appropriate in the circumstances.

IT IS SO ORDERED THIS 23 DAY OF Feb, 2015, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts

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 SUSPENDING LICENSE** was served this 6th day of March, 2015 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Elizabeth Baker, OTA
Confidential
Lee's Summit, MO 64064


And a copy was hand-delivered to:

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

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

Kelli Stevens, General Counsel
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.



Cathy Brown, Executive Assistant