FILED

MAY 22 2013

KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | |
| Ashley Bessette | ) | |
| Kansas Student Respiratory Therapist | ) | Docket No. 13-HA00069 |
| 19-00426 | ) | |

JOURNAL ENTRY

**NOW,** on this 21st day of May 2013, the above-entitled matter comes on before Kathleen Selzler Lippert, Executive Director of the Kansas State Board of Healing Arts. After reviewing the file and being duly advised in the premises, the Executive Director makes the following determinations.

1. On April 11, 2013 the Executive Director issued a Summary Order of Cancellation of Permit canceling the special permit issued to Ashley Bessette ("Permitee") for failure to provide documented evidence of enrollment in an approved school of respiratory therapy and an anticipated graduation date.

2. 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 become effective as a final order of the Board upon expiration of the time for requesting a hearing

3. No hearing has been requested by any party and; therefore, the Summary Order became effective on May 14, 2013.

4. **IT IS THEREFORE ORDERED** that the Special Permit of Permitee issued by the Board to practice as a student respiratory therapist in the state of Kansas is cancelled effective date of this order due to failure to provide documentation of current

enrollment in an approved respiratory school and an anticipated graduation date as provided by K.A.R. 100-55-9.

5. **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 KSA 77-613(e), the Agency Officer to be serviced on behalf of the Kansas State Board of Healing Arts is Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, LL Suite A, Topeka, KS 66623

**DATED** this 21st day of May 2013.

**KANSAS STATE BOARD OF HEALING ARTS**

Kathleen Selzler Lippert
Executive Director

## CERTIFICATE OF SERVICE

I, do hereby certify that on the 22nd day of May 2013, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

Ashley Bessette
Confidential

Ulysses, KS 67880

and a copy hand delivered to the office of:

Katy Lenahan, Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, LL Suite A
Topeka, KS 66612

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

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**

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| In the Matter of | ) | |
| | ) | |
| Ashley Dawn Bessette | ) | Docket No. 13-HA 00069 |
| Kansas Student Respiratory Therapist | ) | |
| 19-00426 | ) | |

## SUMMARY ORDER OF CANCELLATION OF PERMIT

**NOW,** on this 11th day of April 2013, this matter comes before Kathleen Selzler Lippert, Executive Director of the 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 orders are made for and on behalf of the Board:

1. On May 10, 2012 the special permit no. 19-00426 was issued to Ashley Dawn Bessette ("Permitee") to practice as a student respiratory therapist in the state of Kansas.

2. K.A.R. 100-55-9 requires each Permitee to provide annual verification of current enrollment in an approved school of respiratory therapy and an anticipated graduation date.

3. Failure to provide verification of current enrollment in an approved school of respiratory therapy and anticipated graduation date shall result in cancellation of the current permit, K.A.R. 100-55-9.

4. On February 1, 2013, a letter was mailed to the Permitee requesting that they provide, no later than February 28, 2013, proof of current enrollment in an approved school of respiratory therapy and an anticipated graduation date.

5. On March 8, 2013, the required documents had not been received and a second notice was mailed requesting that the Permitee provide, no later than March 30, 2013, the requested documentation.

6. Permitee has failed to provide documented evidence of current enrollment in an approved school of respiratory therapy and an anticipated graduation date in accordance with Kansas law.

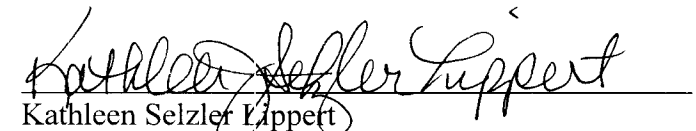
9. The Permitee violated K.S.A. 65-5508(c) as further defined by K.A.R. 100-55-9 by failing to provide documented evidence of current enrollment in an approved school of respiratory therapy and an anticipated graduation date. Permitee has not met the requirements for a RT Student permit.

**IT IS THEREFORE ORDERED** that the Special Permit of Permitee issued by the Board to practice as a student respiratory therapist in the state of Kansas is cancelled effective date of this order due to failure to documentation of current enrollment in an approved respiratory school and an anticipated graduation date as provided by K.A.R. 100-55-9.

**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 hearing must be addressed to Kathleen Selzler Lippert, Executive Director, 800 SW Jackson, Lower Level, Suite A., Topeka, KS 66612.

**DATED** this 11th day of April, 2013

**KANSAS STATE BOARD OF HEALING ARTS**



Kathleen Selzler Lippert
Executive Director

**CERTIFICATE OF SERVICE**

I, do hereby certify that on the 11th day of April, 2013, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

Ashley Dawn Bessette
Confidential

Ulysses, KS 67880

and a copy hand delivered to the office of:

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

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

Cathy A. Brown

Cathy Brown
Executive Assistant