

**FILED**

MAY 05 1995

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

**KANSAS STATE BOARD OF  
HEALING ARTS**

In the Matter of )  
 )  
**JAMES A. CAIN, JR., (R.T.)** )  
Temporary Registration 9402588 )

**FINAL ORDER FOLLOWING CONFERENCE HEARING**

NOW, on this 29th day of April, 1995, this matter comes on for conference proceedings before the Board of Healing Arts (hereafter "Board") at the request of JAMES A. CAIN, JR., (R.T.) (hereafter "Registrant") for a second temporary registration pursuant to K.S.A. 65-5508(e).

Charlene K. Abbott, Licensing Administrator, presented information before the Board. James A. Cain, Jr., appeared pro se.

After examining the file, hearing statements of the Licensing Administrator and being otherwise duly advised in the premises, the Board makes the following findings of fact, conclusions of law and order:

- 1) A request for a second temporary registration was received in the Board office from Registrant on March 30, 1995.
- 2) Registrant has applied for permanent registration as a respiratory therapist but has not passed an examination approved by the Board as required by K.S.A. 65-5507.

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3) Registrant was granted a temporary registration, 9402588, on April 29, 1994, which expired on April 29, 1995.

4) Pursuant to K.S.A. 65-5508(e) no more than one such temporary registration will be permitted to any one person without the majority approval of the members of the Board.

5) Upon payment of the appropriate fee, Registrant should be granted a second temporary registration which shall be valid until the occurrence of any one of the following:

- a) Registrant, prior to October 31, 1995, provides proof of successful passage of the next NBRC examination, then the temporary registration will be cancelled on the date the Board issues a permanent registration to Registrant; or
- b) Registrant, prior to October 31, 1995, fails to provide proof of passage of the next NBRC examination, then the temporary registration will be cancelled and of no further force or effect.

**IT IS THEREFORE ORDERED** as follows:

a. That upon payment of the appropriate fee, a second temporary registration be granted to Registrant which will be valid until cancelled as provided in paragraph 5 above.

b. This is a Final Order and is effective upon service upon the parties. Any party may, within fifteen (15) days of service, file a written request with this office for administrative review of this order.

**IT IS SO ORDERED.**

DATED this 4<sup>th</sup> day of May, 1995.

KANSAS STATE BOARD OF HEALING ARTS

  
LAWRENCE T. BUENING, JR. #0125  
Executive Director

**CERTIFICATE OF SERVICE**

I, Lawrence T. Buening, Jr., Executive Director, Kansas State Board of Healing Arts, do hereby certify that on the 5<sup>th</sup> day of May, 1995, a copy of the above and foregoing **FINAL ORDER FOLLOWING CONFERENCE HEARING** was deposited in the United States mail, postage prepaid, first class to the following:

James A. Cain, Jr.  
1537 SW 24th  
Topeka, Kansas 66611

and a copy hand-delivered to:

Charlene K. Abbott  
Licensing Administrator  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603

  
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LAWRENCE T. BUENING, JR.  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, Kansas 66603  
(913) 296-3680

LTB31/CAIN.F02

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