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BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

KS State Board of Healing Arts

In the Matter of )  
MEGAN E. CALLAHAN, A.T. )  
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Kansas License No. 24--00828 )  
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KSBHA Docket No. 13-HA00003

**FINAL ORDER GRANTING LICENSURE AND IMPOSING PUBLIC REPRIMAND**

NOW on this 17<sup>th</sup> day of August 2012, comes before the Kansas State Board of Healing Arts ("Board") the application of Megan E. Callahan, A.T. ("Applicant") for licensure to practice athletic training in the State of Kansas. Applicant appears in person and *pro se*. Jessica A. Bryson, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to the Board by the Kansas Athletic Trainers Licensure Act, 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 hereby enters this Final Order in the above-captioned matter. After reviewing the file, hearing the statements and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. On or about January 17, 2012, Applicant submitted an application for a license to practice as an Athletic Trainer in the State of Kansas. Such application was deemed complete and filed with the Board on or about July 16, 2012.
2. In August of 2011, Applicant received a Master of Science (M.S.) degree from Indiana State University.
3. Applicant began working as an Athletic Trainer at Benedictine College in July 2011, prior to receiving her M.S. degree.

4. Applicant worked as an Athletic Trainer at Benedictine College for approximately 6 ½ months before submitting her application for licensure.

5. Applicant continued working as an Athletic Trainer at Benedictine College even after submitting her application for licensure.

6. The Board finds that Applicant violated the Athletic Trainers Licensure Act in that she practiced as an Athletic Trainer for approximately one year at Benedictine College prior to obtaining her license.

7. The Board finds that Applicant violated the Athletic Trainers Licensure Act by using the words, “Athletic Trainer,” “L.A.T.,” and “ATC,” thereby representing that she was an athletic

8. The Board finds that Applicant obtained compensation by misrepresentation when she received fees for athletic training services as a Benedictine College employee.

9. Pursuant to K.S.A. 65-6902(b), Athletic Training “means the practice of injury prevention, physical evaluation, emergency care and referral or physical reconditioning relating to athletic ability.”

10. Pursuant to K.S.A. 65-6903(a), “It shall be unlawful for any person **who is not licensed** under this act as an athletic trainer . . . to use, in connection with such person’s name or place of business, the words: ‘**Athletic Trainer**’ or ‘athletic trainer licensed’ or ‘licensed athletic trainer’ or ‘certified athletic trainer’ or the letters ‘A.T.’ or ‘A.T. L.’, ‘**L.A.T.**’ or **ATC**, or any other words, letters, abbreviations or insignia indicating or implying that such person is an athletic trainer who in any way, orally, in writing, in print or by sign, directly or by implication represents oneself as an athletic trainer.” (emphasis added)

11. Pursuant to K.S.A. 65-6911(a)(8), the Board may deny an application for licensure if it finds that Applicant has committed a “negligent or intentional violation of the provisions of this act or the rules and regulations adopted under this act.”

12. Pursuant to K.S.A. 65-6911(a)(4), the Board may deny an application for licensure if it finds that Applicant “has obtain[ed] or attempt[ed] to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation.”

13. The Board finds that Applicant has violated the Athletic Trainers Licensure Act in that she practiced as an Athletic Trainer for approximately one year at Benedictine College and that she used the words “Athletic Trainer,” “L.A.T.,” and “ATC” in violation of 65-6911(a)(4) and 65-6903(a).

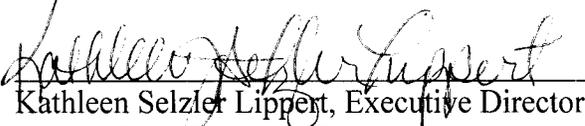
14. Furthermore, the Board finds that by holding herself out as a licensed athletic trainer and practicing without being licensed, Applicant obtained compensation by misrepresentation when she received compensation for her services as an ATC and LAT as an employee of Benedictine College’s Athletic Department where she oversaw “the health and well-being of the student-athletes of Benedictine College” after holding herself out to the public as an ATC and LAT on the Benedictine College Athletic Department’s website. These acts constitute a violation of K.S.A.65-6911(a)(4) and 65-6903(a).

15. The Board concludes that, in accordance with the Athletic Trainers Licensure Act, and based on the particular mitigating circumstances described by Applicant in her testimony, it is appropriate to grant Applicant a license to practice athletic training subject to disciplinary action in the form of a PUBLIC REPRIMAND of such license for practicing as an athletic trainer without licensure.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** that Applicant is hereby granted a license to practice athletic training in the State of Kansas.

**IT IS FURTHER ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** that Applicant's license is hereby **PUBLICALLY REPRIMANDED** for her violations of the Kansas Athletic Trainers Licensure Act.

**IT IS SO ORDERED THIS 6<sup>th</sup> DAY OF SEPTEMBER, 2012, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**

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

**NOTICE OF RIGHTS**

**PLEASE TAKE NOTICE** that this is a Final Order. A Final Order is effective upon service, and service of a Final Order is complete upon mailing. Pursuant to K.S.A. 77-529, Licensee may petition the Board for Reconsideration of a Final Order within fifteen (15) days following service of the final order. Additionally, 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, the Board's Executive Director, at 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing **FINAL ORDER GRANTING LICENSURE AND IMPOSING PUBLIC REPRIMAND** was served this 6<sup>th</sup> day of September, 2012 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Megan E. Callahan  
CONFIDENTIAL  
Atchison, KS 66002

And a copy was hand-delivered to:

Jessica A. Bryson, 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

And the original was filed with the office of:

Kathleen Selzler Lippert, Executive Director  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

  
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Cathy Brown, Executive Assistant