

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

KS State Board of Healing Arts

In the Matter of  
Mallore Castaneda, R.T.

Kansas License No. 16-04058

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) KSBHA Docket No. 11-HA00065  
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**FINAL ORDER EXTENDING MONITORING REQUIREMENTS**

NOW on this 24<sup>th</sup> day of February, 2012, comes before the Kansas State Board of Healing Arts ("Board") the Petition for disciplinary action against Mallore Castaneda, R.T. ("Licensee") for alleged violations of the Kansas Respiratory Therapy Practice Act. Licensee appears in person and *pro se*. Stacy R. Bond, Associate Litigation Counsel, appears on behalf of the Petitioner Board.

Pursuant to the authority granted to the Board by K.S.A.65-5501 *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. Licensee is licensed to engage in the practice of Respiratory Therapy in the State of Kansas, License No. 16-04058, and has been so licensed since approximately February 28, 2011.

2. In approximately February of 2011, Licensee entered into a Consent Order with the Board as a condition to being granted a license as a respiratory therapist. The Consent Order required Licensee to Confidential  
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3. Confidential

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4. Confidential

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5. Licensee's failure to comply Confidential

violates the provisions of her Consent Order with the Board.

6. Licensee's acts and conduct constitute unprofessional conduct pursuant to K.S.A. 65-5510(a)(4), in that licensee has violated a lawful order of the Board.


7. The Board finds that violation of a Board order Confidential

Confidential constitutes conduct likely to endanger the health, welfare or safety of the public.

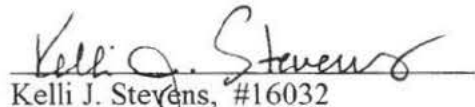
8. The Board concludes that in order to assure Licensee's safety to practice, the monitoring requirements set forth in Licensee's Consent Order should be extended for an additional year to February 24, 2013, in order to assure the Board that Licensee is safe to practice.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** that the monitoring requirements set forth in Licensee's Consent Order are hereby extended for an additional year to February 24, 2013.

**IT IS SO ORDERED THIS 12 DAY OF MARCH, 2011, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**

  
Kathleen Selzler Lippert  
Executive Director  
Kansas State Board of Healing Arts

Prepared and Approved by:

  
Kelli J. Stevens, #16032  
General Counsel

### **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, hereby certify that a true copy of the foregoing **Final Order Extending Monitoring** was served this 12<sup>th</sup> day of March, 2012 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Mallorey Castaneda  
**Confidential**  
Wichita, Kansas 67204

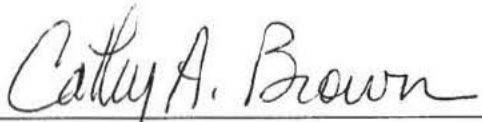
And a copy was hand-delivered to:

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

Melissa Massey, Compliance Coordinator  
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

  
\_\_\_\_\_  
Cathy Brown  
Executive Assistant