

**EFFECTIVE AS A
FINAL ORDER**

DATE: 8/30/13

FILED *CAD*

AUG 20 2013

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

KS State Board of Healing Arts

**In the Matter of
Diane Chavez, D.C.**

Applicant for Licensure

KSBHA Docket No. 14-HA00009

PROPOSED DEFAULT ORDER DENYING APPLICATION FOR LICENSURE

NOW on this 9th day of August, 2013, comes on for hearing before the Kansas State Board of Healing Arts (“Board”) the Application for License to Practice Chiropractic of Diane Chavez, D.C. (“Applicant”). Jessica Bryson, Associate Litigation Counsel, appears on behalf of the Respondent Board. Applicant fails to appear.

Pursuant to the authority granted to the Board by K.S.A. 65-2801 *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 in the above-captioned matter.

Having the agency record before it, the Board finds, concludes and orders as follows:

1. On or about August 17, 2012, Diane Chavez, D.C. (“Applicant”) submitted to the Board an application for a license to practice chiropractic in the State of Kansas. Such application was deemed complete and filed with the Board on July 12, 2013.

2. Applicant’s mailing address as provided to the Board is: **Confidential**
Road, Olathe, Kansas 66062.

3. A conference hearing on Applicant’s application for licensure was noticed for August 9, 2013 at the offices of the Kansas State Board of Healing Arts.

4. Pursuant to K.S.A. 2010 Supp. 77-531, Applicant was served with a Notice of Conference Hearing to Applicant's mailing address via United States Mail, first-class postage prepaid, on or about July 18, 2013.

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


6. Applicant failed to appear at the Conference Hearing held on August 9, 2013.

7. Pursuant to K.S.A. 77-516 and K.S.A. 2010 Supp. 77-520, Licensee was in default for her failure to appear at the conference hearing on August 9, 2013. Upon review of the agency record and after being fully advised, the Board found and concluded that the facts and allegations set forth in the Response in Opposition to Application for License to Practice Chiropractic were deemed undisputed.

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 that Applicant's Application is hereby DENIED.

IT IS SO ORDERED THIS 20th DAY OF August, 2013, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Kathleen Selzler Dippert
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. 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 DENYING APPLICATION FOR LICENSURE** was served this 3rd day of Sept, 2013 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Diane Chavez, D.C.
Confidential
Olathe, KS 66062

And a copy was hand-delivered to:

Jessica 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 the Executive Director.



Cathy Brown, Executive Assistant