

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

In the Matter of )  
Anthony Collier , )  
 )  
Applicant for Kansas License )  
RT )

Docket No. 11-HA00051

**FINAL ORDER FOLLOWING CONFERENCE HEARING**  
**(Pursuant to K.S.A. 77-501 et seq.)**

NOW on this 25<sup>th</sup> day of February 2011, comes before the Kansas State Board of Healing Arts (“Board”) the application of Anthony Collier (“Applicant”) for a license to practice respiratory therapy in the State of Kansas. Applicant appears pro se via telephone. Stacy Bond appears for the Board.

Pursuant to the authority granted to 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 Final Order in the above-captioned matter. After reviewing the file, hearing the statements and arguments of Ms. Bond, hearing the testimony of Applicant and being otherwise duly advised in the premises, the Board makes the following findings of fact, conclusions and order:

**I. Findings of Fact**

The Board has been shown the following facts:

1. Applicant submitted to the Board an application for a license to practice respiratory therapy in the State of Kansas. Such application was deemed complete on December 17, 2010.
2. Applicant’s mailing address as provided to the Board is: 10212 White, Kansas City, Missouri 64134.

3. On the application that Applicant submitted to the Board Applicant answered “no” to all disciplinary questions. More specifically, Applicant answered “no” to the questions: “Have you ever been arrested?” and “Have you ever been charged with a crime, indicted, convicted of a crime, imprisoned, or placed on probation?”
4. Applicant disclosed on his application that he had not been employed for the past five (5) years and that he has not taken the NBCR examination since his graduation in 2000 from Concorde Career College in Kansas City, Missouri.
5. On or about January 5, 1999, Applicant was convicted of a severity level 9 non-person felony in Johnson County District Court for Theft, a violation of K.S.A. 21-3701, in case number 96-CR-3422.
6. On or about December 3, 2001, Applicant was convicted of a severity level 8 non-person felony in Johnson County District Court for Aggravated Escape from Custody, a violation of K.S.A. 21-3810, in case number 00CR1497.
7. On or about November 26, 2001, Applicant was convicted of a severity level 8 non-person felony for Making a False Writing, a violation of K.S.A. 21-3711, in case number 01CR619.
8. On or about November 26, 2001, Applicant was convicted of a severity level 9 non-person felony for Felony Obstruction, a violation of K.S.A. 21-3808, in case number 01CR619.
9. On or about December 10, 2001, Applicant was convicted of a severity level 8 non-person felony in Johnson County District Court for Aggravated Escape from Custody, a violation of K.S.A. 21-3810, in case number 01CR966.

10. On or about May 9, 2003, Applicant was convicted in the United States District Court of Western Missouri of one (1) count of Bank Fraud, two (2) counts of Fraud with Identification Documents, and two (2) counts of Misuse of a Social Security Number; in case number 02-CR-00211-DW. All of the cited offenses were felony level convictions. Applicant was sentenced to imprisonment for a term of 88 months with a five (5) year post-release supervision requirement. The conduct that was the basis for the convictions was Applicant obtained documents containing personal identifiable information of his victims. He then used the victim's personal identifiable information to pose as the victim to wrongfully obtain bank loans which he used for his own gain.
11. Applicant testified that the Federal Conviction on or about May 9, 2003, was overturned by the appellate courts and he was released early from prison. However, there was no documentary evidence presented that verified the same.

## **II. Applicable Law**

- a. K.S.A. 77-501 et seq. – Kansas Administrative Procedure Act
- b. K.S.A. 65-2801 et seq. – Kansas Healing Arts Act
- c. K.S.A. 65-5501 et seq. – Respiratory Therapy Practice Act
- d. K.S.A. 65-5510 – Denial, Revocation, Limitation, or Suspension of License or Refusal to Renew License; Unprofessional Conduct; Discipline; Civil Fines; Procedure; Reinstatement.

## **III. Conclusions**

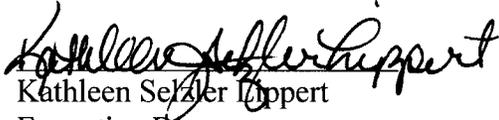
Based upon the Findings of Fact enumerated in Paragraphs #1 through #11, the Applicable Law set forth above the Board hereby concludes as follows:

12. The Board finds Applicant guilty of unprofessional conduct that is likely to endanger the health, welfare, or safety of the public pursuant to K.S.A. 65-5510(a)(1). Applicant attempted to obtain a license to practice respiratory therapy in the State of Kansas by means of concealment of material facts.
13. Furthermore, the Board finds Applicant guilty of unprofessional conduct that is likely to endanger the health, welfare, or safety of the public pursuant to K.S.A. 65-5510(a)(3). Applicant has been convicted of numerous felonies that have direct bearing on Applicant being entrusted to serve the public in the capacity of a respiratory therapist.
14. Based upon the aforementioned conduct, the Board finds denial of licensure of Applicant appropriate in this case pursuant to K.S.A. 65-5510(a).

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF  
HEALING ARTS:**

15. Applicant's application for a license to practice respiratory therapy in the State of Kansas is hereby **DENIED**.
16. The Board shall maintain jurisdiction over this matter to issue any future order(s) deemed necessary and appropriate.

**IT IS SO ORDERED THIS 11 DAY OF March, 2011, IN THE CITY  
OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**

  
Kathleen Seizler 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. 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 was served this 11<sup>th</sup> day of March, 2011 by depositing the same in the United States Mail, first-class postage prepaid and addressed to:

Anthony Collier  
10212 White Ave.  
Kansas City, MO 64134

And a copy was hand delivered to the office of:

Stacy Bond, 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  
235 SW Topeka Blvd.  
Topeka, Kansas 66603

The original filed with:

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