

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

**FILED**  
APR 26 1994  
KANSAS STATE BOARD OF  
HEALING ARTS

In the Matter of )  
)  
KENNETH M. COOK )  
Applicant for Registration )  
\_\_\_\_\_ )

Case No. 94-00172

**FINAL ORDER FOLLOWING CONFERENCE HEARING**

NOW on this 16th day of April, 1994, this matter comes on for consideration before the Kansas State Board of Healing Arts ("Board") sitting as a whole as Presiding Officer in a conference proceeding pursuant to the provisions of K.S.A. 77-533 through 77-535 and K.A.R. 100-19-1(f), the Application for Registration filed by Kenneth M. Cook ("Applicant") to practice as a respiratory therapist in the State of Kansas.

Gretchen E. Schmidt, Associate Counsel, appears for and on behalf of the Board. Applicant does not appear.

After reviewing the Application and being otherwise duly advised in the premises, the Board finds as follows:

1. In September of 1992, Applicant filed an Application for Registration to practice as a respiratory therapist in the State of Kansas.
2. In his Application Applicant stated he had been convicted of robbery in 1985 and indicated he was presently using or had abused the use of drugs or alcohol.
3. On February 28, 1994, Applicant was convicted of first-degree murder with a jury recommendation of life imprisonment.

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4. The above-noted actions constitute grounds for which the Board may deny an Application for Registration to practice as a respiratory therapist in the State of Kansas pursuant to the laws relating to respiratory therapists. K.S.A. 65-5510(a) provides grounds for which denial of a respiratory therapy registration may be based. Subparagraph (3) provides that "being convicted of a felony if the acts for which such person was convicted are found by the Board to have a direct bearing on whether such person should be entrusted to serve the public in the capacity of a respiratory therapist" is a ground for denial.

5. Applicant's convictions of robbery and murder have a direct bearing on whether Applicant should be entrusted to serve the public as a respiratory therapist.

**IT IS THEREFORE ORDERED** as follows:

1. That the findings here and above made be in the same are made the Order of the Board.

2. Adequate information has been provided to the Board to justify denial of registration to Applicant to practice as a respiratory therapist in the State of Kansas. Applicant's Application for Registration is therefore DENIED.

3. This is a Final Order and is effective upon service of process upon the parties. Any party may, within 15 days after service, file a Petition for Reconsideration, stating the specific grounds upon which relief is requested. The filing of a Petition for Reconsideration is not a prerequisite for seeking administrative or judicial review.

**IT IS SO ORDERED.**

DATED this 26<sup>th</sup> day of April, 1994.

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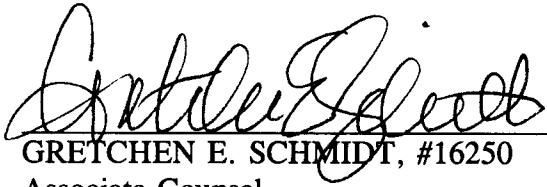
Kenneth M. Cook

KANSAS STATE BOARD OF HEALING ARTS



LAWRENCE T. BUENING, JR.  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
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Prepared and Approved by:



GRETCHEN E. SCHMIDT, #16250  
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**CERTIFICATE OF SERVE**

I, Lawrence T. Buening, Jr., certify that on this 26<sup>th</sup> day of April, 1994, a true and correct copy of the above **FINAL ORDER FOLLOWING CONFERENCE HEARING** was deposited in the United States Mail, first class, postage prepaid, to the following:

Kenneth M. Cook  
3059 S.W. Maupin Lane, #204  
Topeka, Kansas 66614

and a copy was hand-delivered to:

Gretchen E. Schmidt  
Associate Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, Kansas 66603-3068

Charlene K. Abbott  
Licensing Administrator  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, Kansas 66603-3068

and the original was hand-delivered to:

Office of the Executive Director  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, Kansas 66603-3068

  
LAWRENCE T. BUENING, JR.  
Executive Director