

FILED *CB*
AUG 29 2011
KS State Board of Healing Arts

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

In the Matter of)
Derek Ensz, LRT)
) **KSBHA Docket No.12-HA00011**
Kansas License No. 22-03909)
_____)

FINAL ORDER REVOKING LICENSURE

NOW on this 12th day of August 2011, comes before the Kansas State Board of Healing Arts (“Board”) the Board’s Petition against Derek Ensz, LRT (“Licensee”) seeking revocation of licensure. Licensee appeared by and through his counsel, Mike Francis. Lori Dougherty, Associate Litigation Counsel, appears on behalf of the Petitioner Board.

Pursuant to the authority granted to Board by K.S.A. 65-7301 *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 both counsel and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

I. Findings

1. Derek Ensz, LRT (“Licensee”), is presently licensed to engage in the practice of radiologic technology in the State of Kansas, License No. 22-03909, and has been so licensed since being granted a license on approximately April 15, 2011.

2. Licensee’s last known mailing address provided to the Board is: 3312 Homestead, Hutchinson, Kansas 67502.

3. On or about October 4, 2010, Licensee submitted an application for licensure to practice radiologic technology in the State of Kansas. Such application was deemed complete and filed with the Board on January 6, 2011.

4. On or about April 19, 2011, Licensee entered into a Consent Order with the Board
confidential

confidential

Under the terms of the Consent Order, the Board granted Licensee's application for a license to practice as a radiologic technologist in the State of Kansas.
confidential

6. Licensee knowingly agreed to the terms of the Consent Order as a condition of being granted licensure in Kansas.

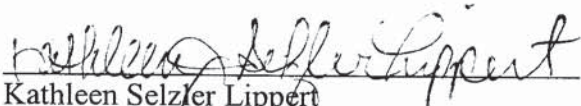
II. Conclusions

7. Licensee is guilty of fraud or deceit in the procurement of a license.
8. Licensee's conduct constitutes grounds for revocation of licensure pursuant to K.S.A. 65-7313(a)(1).


III. Order

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee's license to practice as a radiologic technologist in Kansas is hereby REVOKED.

IT IS SO ORDERED THIS ~~10~~ DAY OF AUGUST, 2011, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Kathleen Selzler Lippert
Executive Director
Kansas State Board of Healing Arts

Prepared by:


Kelli J. Stevens, # 16032
General Counsel
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 hereby certify that a true copy of the above and foregoing Final Order was served this 24th day of August, 2011 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Derek Ensz, LRT
3312 Homestead
Hutchinson KS 67502

Mike Francis
434 SW Topeka Blvd.
Topeka, KS 66603

And a copy was hand-delivered to:


Stacy R. 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
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

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