

**EFFECTIVE AS A
FINAL ORDER**

DATE: 8/30/13



FILED

CAB

AUG 20 2013

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

KS State Board of Healing Arts

**In the Matter of
JODIE L. EVANS, R.T.**

Kansas License No. 16-03987

KSBHA Docket No. 14-HA00010

**PROPOSED DEFAULT ORDER DENYING APPLICATION FOR
REINSTATEMENT OF 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 Reinstatement of License to Practice Respiratory Therapy of Jodie Evans, R.T. ("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. 65-5501 *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 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 March 18, 2013, Jodie Evans, R.T. ("Applicant") submitted to the Board an application for reinstatement of her license to practice respiratory therapy 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: 3088 SE Granger, Topeka, Kansas 66605.
3. A conference hearing on Applicant's application for reinstatement 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.

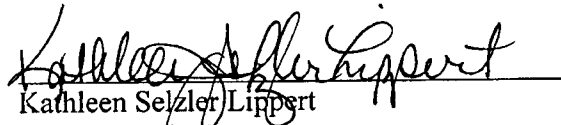
6. Applicant failed to appear at the Conference Hearing held on August 9, 2013.

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 to Reinstate License to Practice Respiratory Therapy 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 for Reinstatement is **DENIED**.

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


Kathleen Selzler 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, 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 REINSTATEMENT OF 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:

Jodie L. Evans, R.T.
3088 SE Granger
Topeka, KS 66605

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