

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED *CHP*

DEC 15 2008

KS State Board of Healing Arts

In the Matter of)
)
Marilyn Fuhlhage)
Student Respiratory Therapist)
Kansas Permit number: 19-00169)

Docket No. *09-HA200095*

SUMMARY ORDER OF CANCELLATION OF LICENSE

NOW, on this 15th day of December 2008, this matter comes before Jack Confer, Acting Executive Director of the Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537.

After reviewing the agency record and being duly advised in the premises, the following findings of fact, conclusions of law and orders are made for and on behalf of the Board:

1. The Special Permit 19-00169 is issued to Marilyn Fuhlhage ("Permitee") to practice as a student respiratory therapist in the state of Kansas.

2. K.A.R.100-55-9 requires each Permitee to provide annual verification of current enrollment in an approved school of respiratory therapy and an anticipated graduation date.

3. Failure to provide verification of current enrollment in an approved school of respiratory therapy and anticipated graduation date shall result in cancellation of the current permit.

4. On October 16, 2008, a letter was mailed requesting that the Permitee provide, no later than October 31, 2008, proof of current enrollment in an approved school of respiratory therapy and an anticipated graduation date.

5. On November 12, 2008, the required documents had not been received and a second notice was mailed requesting that the Permitee provide, no later than November 25, 2008, the requested documentation.

6. Permittee has failed to provide documented evidence of current enrollment in an approved school of respiratory therapy and an anticipated graduation date in accordance with Kansas law.

9. By failing to provide documented evidence of a current enrollment in an approved school of respiratory therapy and an anticipated graduation date, Permittee has not met the requirements.

IT IS THEREFORE ORDERED that the Special Permit of Permittee issued by the Board to practice as a student respiratory therapist in the state of Kansas is cancelled effective the date of this order due to failure to provide documentation of current enrollment in an approved respiratory school and an anticipated graduation date as provided by K.A.R. 100-55-9.

PLEASE TAKE NOTICE that this is a summary order. A party to whom a summary order is issued may file a written request for a hearing within 15 days following service of the summary order. If a hearing is not requested, the summary order shall become effective as a final order of the Board upon expiration of the time for requesting a hearing. A request for hearing must be addressed to Jack Confer, Acting Executive Director, 235 South Topeka Boulevard, Topeka KS 66603.

DATED this 15th day of December, 2008

KANSAS STATE BOARD OF HEALING ARTS



Jack Confer
Acting Executive Director

CERTIFICATE OF SERVICE

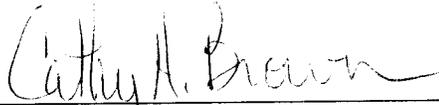
I, do hereby certify that on the 16th day of December, 2008, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

Marilyn Fuhlhage
323 N School
Eureka, KS 67045

and a copy hand delivered to the office of:

Katy Lenahan, Licensing Administrator
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, KS 66603-3068

and the original filed with the office of the Acting Executive Director.



Cathy Brown
Executive Assistant

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED *CH*
JAN 21 2009

In the Matter of)
)
)
Marilyn Fuhlhage,)
Student Respiratory Therapist)
Kansas License No. 19-00169)

KS State Board of Healing Arts

Docket No. 09-HA00095

JOURNAL ENTRY

NOW, on this 21st day of January 2009, the above-entitled matter comes on before Jack Confer, Acting Executive Director of the Kansas State Board of Healing Arts. After reviewing the file and being duly advised in the premises, the Acting Executive Director makes the following determinations.

1. On December 15, 2008, the Executive Director issued a Summary Order of Cancellation canceling the special permit issued to Marilyn Fuhlhage ("Permitee") for failure to provide documented evidence of enrollment in an approved school of respiratory therapy and an anticipated graduation date.

2. The Summary Order contained a notice that a written request for hearing could be filed within 15 days following service, but if no hearing is requested, the Summary Order would become effective as a final order of the Board upon expiration of the time for requesting a hearing

3. No hearing has been requested by any party and; therefore, the Summary Order became effective on January 5, 2009.

DATED this 21st day of January 2009.

KANSAS STATE BOARD OF HEALING ARTS

Jack Confer
Acting Executive Director

CERTIFICATE OF SERVICE

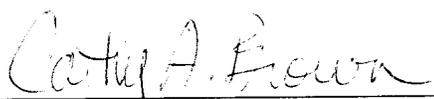
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Cathy Brown
Executive Assistant