FILED

APR 22 2011

KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of	)	
	)	
Dina Gatheright	)	
Kansas Student Respiratory Therapist	)	Docket No. 11-HA00074
19-00334	)	

JOURNAL ENTRY

NOW, on this 22nd day of April 2011, the above-entitled matter comes on before Kathleen Selzler Lippert, Executive Director of the Kansas State Board of Healing Arts. After reviewing the file and being duly advised in the premises, the Executive Director makes the following determinations.

1. On March 29, 2011, the Executive Director issued a Summary Order of Cancellation of Permit canceling the special permit issued toDina Gatheright ("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 April 20, 2011.

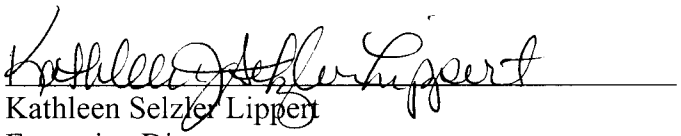
4. **IT IS THEREFORE ORDERED** that the Special Permit of Permitee issued by the Board to practice as a student respiratory therapist in the state of Kansas is cancelled effective date of this order due to failure to documentation of current

enrollment in an approved respiratory school and an anticipated graduation date as provided by K.A.R. 100-55-9.

5. **PLEASE TAKE NOTICE** that this is a Final Order. Pursuant to K.S.A. 77-601 *et. seq.* a party to whom a Final Order is issued may petition for judicial review of this Final Order. The petition for judicial review must be filed within thirty (30) days of service of this Final Order. In the event a petition for judicial review is filed pursuant to KSA 77-613(e), the Agency Officer to be serviced on behalf of the Kansas State Board of Healing Arts is Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, LL Suite A, Topeka, KS 66623

DATED this 22nd day of April 2011.

KANSAS STATE BOARD OF HEALING ARTS



Kathleen Selzler Lippert
Executive Director

CERTIFICATE OF SERVICE

I, do hereby certify that on the 22nd day of April 2011, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

DinaGatheright
809 Elmwood Ave
Kansas City, MO 64124

and a copy hand delivered to the office of:

Katy Lenahan, Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, LL Suite A
Topeka, KS 66612

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

Cathy A. Brown

Cathy Brown
Executive Assistant

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED
MAR 29 2011
KS State Board of Healing Arts

In the Matter of	)	
	)	
Dina Gatheright	)	Docket No. 11-HA00074
Kansas Student Respiratory Therapist	)	
19-00334	)	

SUMMARY ORDER OF CANCELLATION OF PERMIT

NOW, on this 28th day of March 2011, this matter comes before Kathleen Selzler Lippert, 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. On September 22, 2010 the special permit no. 19-00334 was issued to Dina Gatheright ("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, K.A.R. 100-55-9.

4. On February 1, 2011, a letter was mailed to the Permitee requesting that they provide, no later than February 28, 2011, proof of current enrollment in an approved school of respiratory therapy and an anticipated graduation date.

5. On March 4, 2011, the required documents had not been received and a second notice was mailed requesting that the Permitee provide, no later than March 19, 2011, the requested documentation.

6. Permitee 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. The Permitee violated K.S.A. 65-5508(c) as further defined by K.A.R. 100-55-9 by failing to provide documented evidence of current enrollment in an approved school of respiratory therapy and an anticipated graduation date. Permitee has not met the requirements for a RT Student permit.

IT IS THEREFORE ORDERED that the Special Permit of Permitee issued by the Board to practice as a student respiratory therapist in the state of Kansas is cancelled effective date of this order due to failure to 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 Kathleen Selzler Lippert, Executive Director, 800 SW Jackson, Lower Level, Suite A., Topeka KS 66612.

DATED this 28th day of March, 2011

KANSAS STATE BOARD OF HEALING ARTS

Kathleen Selzler Lippert

Kathleen Selzler Lippert
Executive Director

CERTIFICATE OF SERVICE

I, do hereby certify that on the 29th day of March, 2011, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

Dina Gatheright
809 Elmwood Ave
Kansas City, MO 64124

and a copy hand delivered to the office of:

Katy Lenahan, Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level Suite A.
Topeka, KS 66612

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

Cathy A. Brown

Cathy Brown
Executive Assistant