

FILED CAB
JUL 18 2012
KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of)
MARY JILKA, L.R.T.)
)
Kansas License No. 22-04212)
_____)

KSBHA Docket No. 12-HA00091

FINAL ORDER GRANTING LICENSURE BY WAIVER OF REQUIREMENTS

NOW on this 22nd day of June 2012, comes before the Kansas State Board of Healing Arts (“Board”) the application of Mary Jilka, L.R.T. (“Applicant”) for a license to practice radiologic technology in the State of Kansas. Licensee appears in person and is *pro se*. Reese H. Hays, Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to the Board by the Kansas Radiologic Technologists Practice Act, 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 the parties, and being otherwise duly advised in the premises, the Board makes the following findings of fact, conclusions and order:

1. On or about December 6, 2011, the Board received an application for licensure by endorsement from Applicant. Such application was deemed complete and filed with the Board on May 24, 2012. Applicant is seeking an active license to practice radiologic technology from the State of Kansas.

2. Applicant is certified with the American Registry of Radiologic Technologists (ARRT). On December 6, 2011, the Board received a letter from ARRT verifying that Applicant is certified and currently registered in Radiography and Mammography.

3. Applicant attended the Marymount Hospital School of Radiology in Garfield Heights, Ohio, from approximately June 1980 to June 1982. Applicant provided documentation indicating that she successfully completed the program and graduated with a certificate in radiography in June of 1982. The documentation provided by Applicant is in the form of a notarized Certificate in Radiography from Marymount Hospital School of Radiology that was notarized by Notary Public-State of Kansas Glenda S. Kelly on February 21, 2012.

4. Applicant provided information that Marymount Hospital School of Radiology is no longer a teaching hospital and does not have a president, registrar, or dean to certify or verify her completion of the two-year course in radiography.

5. The program Applicant attended in radiography appears to have either been taken over by, or associated with, Cuyahoga Community College. Applicant sent the Board a copy of her transcript from Cuyahoga Community College which indicates she took 32 credit hours during the Fall Semester 1980 to the Spring Semester 1982. It does not indicate that she received a certificate in radiography from their educational institution.

6. Because Applicant is unable to obtain an official transcript from an educational program approved by the Board that indicates that a degree was awarded to Applicant, she does not meet the educational verification requirements for application as set out in K.A.R. 100-73-2(b)(1)(B). However, Applicant has provided a copy of her certificate of successful completion of a two-year course in radiography approved by the ARRT from Marymount Hospital in Garfield Heights, Ohio.

7. At the time Applicant first submitted her application, Applicant held an active license as a Radiographer in good standing with the Ohio Department of Health, issued on November 25, 2009, with an expiration date of January 5, 2012. A search of the website for the

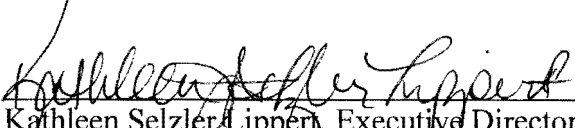
Ohio Department of Health performed on May 29, 2012, indicates Applicant's license as a Radiographer is no longer active in the State of Ohio.

8. K.S.A. 65-7305(d) allows the Board to waive the examination or educational requirements for license and grant licensure to any applicant: "(1) Who presents proof of current licensure as a radiologic technologist in another state, the District of Columbia or territory of the United States which requires standards for licensure determined by the Board to be equivalent to the requirements under this act; and (2) who has, at the time of application, a current valid certificate by the American registry of radiologic technologists, nuclear medicine technology certification board or other recognized national voluntary credentialing bodies, which the Board finds was issued on the basis of examination which meets standards at least as stringent as those established by the Board."

9. However, the Board finds that, in accordance with the requirement of K.S.A. 65-7305(d), Applicant presented proof that she was licensed as a radiographer in the State of Ohio at the time she initially submitted her application to the Board, and, further, Applicant submitted proof of a current valid certificate by the ARRT.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Applicant is hereby granted a license by waiver of educational requirements to practice radiologic technology in the State of Kansas.

IT IS SO ORDERED THIS 18th DAY OF JULY, 2012, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Kathleen Selzler Lipper, 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, 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, the undersigned, hereby certify that a true and correct copy of the above and foregoing **FINAL ORDER GRANTING LICENSURE BY WAIVER OF REQUIREMENTS** was served this 18th day of July, 2012 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Mary Jilk, L.R.T.
CON
Overland Park, KS 66210


And a copy was hand-delivered to:

Reese H. Hays, 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:

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