

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

**FILED** *CA*  
JUN 17 2009

KS State Board of Healing Arts

In the Matter of )  
Dustin Kleekamp, LRT )  
 )  
Kansas License No. 22-02196 ) **Docket No. 09-HA00137**  
\_\_\_\_\_ )

**FINAL ORDER**

**NOW ON THIS** 12th day of June, 2009, this matter comes on for hearing on the Board's Motion to Review Initial Order. Respondent does not appear. Stacy Bond, Associate Litigation Counsel, appears for the Board. There are no other appearances.

Having the agency record before it, the Board finds, concludes and orders as follows:

1. A hearing was held in this matter on April 1, 2009, before Presiding Officer Gary Counselman, D.C.
2. By Initial Order filed April 16, 2009, the Presiding Officer found that the respondent violated K.S.A. 65-7307(c).
3. Respondent was fined \$150.
4. The Board adopts the findings of fact and conclusions of law of the Initial Order and incorporates the same by reference into this Final Order.

**IT IS, THEREFORE, ORDERED** that Respondent is fined in the amount of \$150 payable within 30 days of service of this Order.

**PLEASE TAKE FURTHER 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 the Board's Executive Director at 235 SW. Topeka Blvd., Topeka, KS 66603.

**Dated this 12th day of June, 2009.**



Kansas State Board of Healing Arts

\_\_\_\_\_  
Jack Confer  
Executive Director

**Certificate of Service**

I certify that a true copy of the foregoing Final Order was served this 18<sup>th</sup> day of June, 2009, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Dustin Kleekamp, LRT  
12490 Quivira Rd.  
Apt. 3512  
Overland Park, KS 66213

And a copy was hand-delivered to the office of

Stacy Bond, Associate Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, KS 66603

And the original filed with the office of the Executive Director

  
Cathy A. Brown

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

FILED

CAB

APR 16 2009

KS State Board of Healing Arts

In the Matter of )  
Dustin Kleekamp, LRT )  
 )  
Kansas License No. 22-02196 )  
\_\_\_\_\_ )

Docket No. 09-HA00137

**INITIAL ORDER**

NOW ON THIS 1st day of April, 2009, this matter comes on for hearing before Gary Counselman, D.C., Presiding Officer. Respondent appears in person, *pro se*. Kathleen Selzler Lippert, Litigation Counsel, and Stacy Bond, Associate Litigation Counsel, appear for the Board. There are no other appearances.

Having the agency record before him, hearing the statements and arguments of the parties and being duly advised in the premises, the Presiding Officer finds, concludes and orders as follows:

1. On or about September 9, 2008, Respondent submitted an application for renewal of his license.
2. Pursuant to K.S.A. 65-2307 and K.A.R. 100-73-7 each Licensee desiring to renew a Radiologic Technologist license must have completed at least twelve (12) credits of continuing education and to provide proof of completion to the Board upon request.
3. As part of the renewal process, Respondent certified that the rules regarding continuing education had been read, that compliance had been achieved, and that documentation of the continuing education would be maintained for a three-year

period and produced to the Board upon request.

4. Respondent was randomly selected to provide verification of compliance with the continuing education requirements and on November 14, 2008, a letter was mailed to Respondent requesting that Respondent provide no later than December 31, 2008, the records relied upon when Respondent certified achievement of the required continuing education.
5. Respondent did not provide the required documentation to the Board by the due date.
6. On February 9, 2009, a Summary Order was filed which ordered Respondent to pay a fine of \$250 and provide proof of satisfactory completion of the continuing education requirements.
7. On or about February 12, 2009, Respondent requested a hearing on this matter in a timely fashion.
8. Respondent had completed the required continuing education credits and provided proof to the Board in February of 2009.
9. Board Policy 08-03 states that the appropriate discipline in this matter is a fine of \$250.
10. The Presiding Officer specifically finds, pursuant to the Board's Guidelines for Disciplinary Sanctions, that since Respondent had completed all continuing education requirements this is an isolated incident that is unlikely to reoccur.
11. Based upon the foregoing mitigating factor, the Presiding Officer rescinds the Summary Order and enters a fine of \$150 to respondent for violation of K.S.A. 65-7307(c).

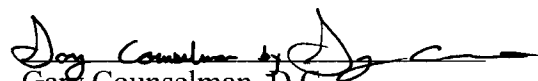
**IT IS THEREFORE ORDERED** that Respondent is fined in the amount of \$150 payable within 30 days of service of this Order.

**PLEASE TAKE NOTICE** that this is an Initial Order. A party to an agency proceeding may seek review of an Initial Order by filing a petition for review within 15 days following service of the Initial Order. Any such petition must be filed with the Executive Director at 235 S. Topeka Blvd., Topeka, KS 66603.

**PLEASE TAKE FURTHER NOTICE** that Board will, on its own motion, review this Initial Order at its regularly scheduled meeting on June 12, 2009 at a time to be determined. At the conclusion of the review the Board shall issue a Final Order. Upon conducting review, the Board may exercise all of the decision making authority as if it had heard the matter itself. Except to the extent that a party has identified an issue for review in a timely petition for review, the Board generally limits its review to the disciplinary orders entered by the Presiding Officer based upon the findings of fact in the Initial Order. Any party may file a brief with the Boards Executive Director on or before May 18, 2009.

**Dated this 19th day of April, 2009.**

Kansas State Board of Healing Arts

  
Gary Counselman, D.C.  
Presiding Officer

**Certificate of Service**

I certify that the foregoing Initial Order was served this 16<sup>th</sup> day of April, 2009, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Dustin Kleekamp, LRT  
12490 Quivira Rd.  
Apt. 3512  
Overland Park, KS 66213

and a copy was hand-delivered to:

Stacy Bond  
Associate Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, Kansas 66603

And the original deposited for filing in the office of the Executive Director.

  
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