

MAR 22 2002

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

**KANSAS STATE BOARD OF
HEALING ARTS**

In the Matter of)
)
MASOUD MAZAFFARI)
Applicant for Certification as a PTA)
_____)

Docket No. 02-HA-0046

FINAL ORDER FOLLOWING CONFERENCE HEARING

NOW, on this 23rd day of February 2002, comes on for Conference Hearing before the State Board of Healing Arts ("Board") the Application for Certification as a Physical Therapist Assistant filed by Masoud Mazaffari ("Applicant"). Shelly Wakeman, Disciplinary Counsel, appears on behalf of the Board. Applicant appears in person *pro se*.

After reviewing the file, hearing statements and arguments of the parties, and being otherwise duly advised in the premises, the Board finds and orders as follows:

1. On or about September 13, 1999, Applicant submitted an application for a certificate to practice as a physical therapist assistant.

2. K.A.R. 100-29-5 provides as follows:

"One temporary permit to practice as a physical therapist or physical therapist assistant may be issued by the board to any applicant who meets all the requirements for registration or certification except examination and who pays the temporary permit fee as required under K.A.R. 100-29-7 and amendments thereto. The temporary permit shall expire three months after the date of issue, or on the date the board issues the permanent registration or certification, whichever occurs first."

3. On September 20, 1999, Applicant was granted temporary permit #0025800 to practice as a physical therapist assistant until December 20, 1999.

4. Applicant took and failed the examination required for certification as a physical therapist assistant on November 30, 1999, March 11, 2000, and September 16, 2000.

5. On December 13, 2000, Applicant submitted to the Board information of anticipated additional education as required by K.A.R 100-29-5(d) in order for the Board to allow Applicant to take the examination a fourth time.

6. On December 26, 2000, the Board received information that Applicant had represented himself as a physical therapist assistant after the expiration of his temporary permit on December 20, 1999.

7. From the exhibits provided during the hearing and by Applicant's own admission, Applicant practiced as a physical therapist assistant without a valid existing certificate as a physical therapist assistant being issued to him from and after the expiration of his temporary permit on December 20, 1999. Such conduct was unprofessional conduct as defined in K.A.R. 100-29-12(a)(18) and constitutes grounds for which the Board may refuse to grant a certificate to Applicant as a physical therapist assistant under K.S.A. 65-2912.

8. Based upon the evidence presented, Applicant's application for a certificate as a physical therapist assistant should be denied.

9. Denial of Applicant's application for a certificate as a physical therapist assistant filed on September 13, 1999, does not preclude Applicant from applying to another state to take the examination required for such a certificate nor does it preclude Applicant from reapplying to the Board for a certificate as a physical therapist assistant at such time as he has met all qualifications, including proof of passage of the required examination.

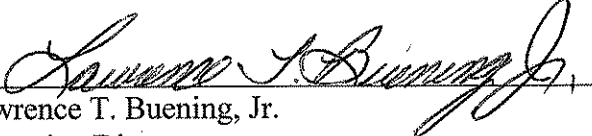
IT IS THEREFORE ORDERED that Applicant's application for a certificate as a physical therapist assistant is denied.

IT IS FURTHER ORDERED that this is a Final Order and is effective upon service on the parties. Any party may, within fifteen (15) days after service, file a Petition for Reconsideration. The filing of a Petition for Reconsideration is not a prerequisite to seeking administrative or judicial review.

IT IS SO ORDERED.

DATED this 22^d day of March, 2002.

KANSAS STATE BOARD OF HEALING ARTS



Lawrence T. Buening, Jr.
Executive Director

CERTIFICATE OF SERVICE

I, Lawrence T. Buening, Jr., Executive Director, Kansas State Board of Healing Arts, do hereby certify that on the 25th day of March, 2002, I deposited a true and correct copy of the FINAL ORDER FOLLOWING CONFERENCE HEARING in the United States mail, first class postage prepaid to the following:

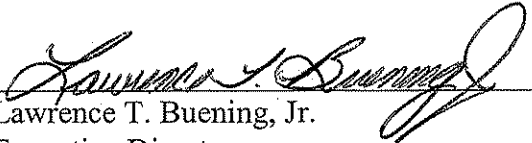
Masoud Mozaffari
8715 Haskell Avenue
Kansas City, Kansas 66109

and a copy was hand-delivered to the office of:

Charlene Abbott, Licensing Administrator
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603

Shelly Wakeman, Disciplinary Counsel
Kansas Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603

and the original is being maintained with the office of Executive Director.


Lawrence T. Buening, Jr.
Executive Director
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