

**EFFECTIVE AS A
FINAL ORDER**

DATE: 10/29/13

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



FILED

OCT 17 2013

CRB

KS State Board of Healing Arts

**In the Matter of
KELLIE MILLER, L.R.T.**)
)
)
Applicant for Kansas License)
_____)

KSBHA Docket No. 14-HA00022

PROPOSED DEFAULT ORDER DENYING APPLICATION FOR LICENSURE

NOW on this 11th day of October, 2013, comes on for hearing before the Kansas State Board of Healing Arts ("Board") the Application for License to Practice Radiologic Technology of Kellie Miller, L.R.T. ("Applicant"). Jessica Bryson, Associate Litigation Counsel, appears on behalf of the Respondent Board. Applicant fails to appear.

Pursuant to the authority granted to the Board by 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 Proposed Default Order in the above-captioned matter.

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

1. On or about January 17, 2013, Kellie Miller, L.R.T. ("Applicant") submitted to the Board an application for license to practice radiologic technology in the State of Kansas. Such application was deemed complete and filed with the Board on September 3, 2013.

2. Applicant's mailing address as provided to the Board is: **Confidential** Lee's Summit, MO 64063.

3. A conference hearing on Applicant's application for licensure was noticed for October 11, 2013 at the offices of the Kansas State Board of Healing Arts.

4. Pursuant to K.S.A. 2012 Supp. 77-531, Applicant was served with a Notice of Conference Hearing to Applicant's mailing address via United States Mail, first-class postage prepaid, on or about September 19, 2013.

5. The Notice of Conference Hearing provided Applicant notice that any party who fails to attend or participate in the Conference Hearing or other stage of a proceeding may be held in default.

6. Applicant failed to appear at the Conference Hearing held on October 11, 2013.

7. Pursuant to K.S.A. 77-516 and K.S.A. 2012 Supp. 77-520, Licensee is in default for her failure to appear at the conference hearing on October 11, 2013.

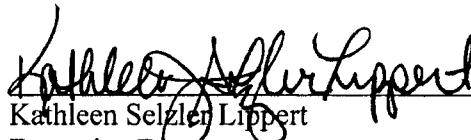
8. Upon review of the agency record and after being fully advised in the premises, the Board finds and concludes that the facts and allegations set forth in the Response in Opposition to Application for license to practice radiologic technology are undisputed.

9. The Board concludes Applicant's application should be denied for violations of K.S.A. 65-7313(a)(8), as further defined by K.A.R. 100-73-6(h) and (c).

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee is hereby held in **DEFAULT** pursuant to K.S.A. 77-520.

IT IS FURTHER ORDERED that Applicant's Application for Licensure is **DENIED**.

IT IS SO ORDERED THIS 10 DAY OF OCTOBER, 2013, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Kathleen Selzler Lippert
Executive Director
Kansas State Board of Healing Arts

FINAL ORDER NOTICE OF RIGHTS

PLEASE TAKE 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 Kathleen Selzler Lippert, Executive Director, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing **FINAL ORDER DENYING APPLICATION FOR LICENSURE** was served this 29th day of Oct., 2013 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Kellie Miller, L.R.T.
Confidential

Lee's Summit, MO 64063

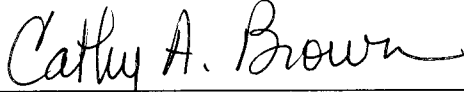
And a copy was hand-delivered to:

Jessica Bryson, Associate 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

Kelli Stevens, General Counsel
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 the Executive Director.



Cathy Brown, Executive Assistant