

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

FILED *CPB*  
DEC 0 9 2009  
KS State Board of Healing Arts

In the Matter of )  
 )  
Michael Charles Nickell, RT ) Docket No. 10-HA00037  
 )  
Kansas license No. 16-02430 )

**FINAL ORDER**

NOW, on this 4<sup>th</sup> day of ~~November~~ <sup>December</sup> 2009, this matter comes before Kathleen Selzler Lippert, Interim Executive Director of the Kansas State Board of Healing Arts. After reviewing the file and being advised in the premises, the Interim Executive Director makes the following determinations.

1. On October 2, 2009 the Executive Director issued a Summary Order regarding the license of Michael Charles Nickell, R.T. ("Licensee") to practice as a respiratory therapist in the state of Kansas. The Summary Order contained a provision for the Licensee to submit proof of 12 hours of continuing education, due on or before October 20, 2009.
2. On October 2, 2009, the Executive Director issued a Summary Order regarding the license of Michael Charles Nickell, R.T. ("Licensee") to practice as a respiratory therapist in the state of Kansas. The Summary Order contained a provision assessing a \$100 civil fine against Licensee for failure to have met the continuing education requirement at the time of renewal, due and payable within thirty (30) days of the effective date of the Summary Order.
3. 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

be come effective as a Final Order of the Board upon expiration of the time for the requesting a hearing.

4. No hearing has been requested by any party; therefore the Summary Order became effective as a final order on October 20, 2009

**IT IS SO ORDERED**

**NOTICE OF RIGHTS**

**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 K.S.A. 77-613(e), the Agency Officer to be served on behalf of the Kansas State Board of Healing Arts is Kathleen Selzler Lippert, Interim Executive Director, Kansas State Board of Healing Arts, 235 S Topeka Blvd., Topeka, Kansas 66603.

**DATED** this 4<sup>th</sup> day of ~~November~~ <sup>December</sup>, 2009

**KANSAS STATE BOARD OF HEALING ARTS**

  
\_\_\_\_\_  
Kathleen Selzler Lippert  
Interim Executive Director

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing Final Order was served  
this <sup>4<sup>th</sup></sup> day of ~~November~~, 2009 by United States mail, first class postage prepaid and addressed  
to: <sup>December</sup>

Michael Charles Nickell RT  
305 Santa Fe Ave  
Holcomb, KS 67851

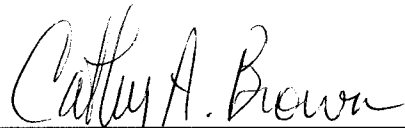
and a copy hand delivered to the office of:

Kelli Stevens  
Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 6603-3068

Katy Lenahan  
Licensing Administrator  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3068

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

Kathleen Selzler Lippert  
Interim Executive Director  
Kansas State Board of Healing Arts  
235 S Topeka Blvd  
Topeka, KS 66603



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Cathy Brown  
Executive Assistant