

FILED
FEB 19 2003
KANSAS STATE BOARD OF
HEALING ARTS

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

In the Matter of)
)
Samwel O. Odinga, O.T.)
a/k/a Samuel O. Odonga)
Kansas Registration No. 17-01176)
_____)

Docket No. 03-HA-45

PROPOSED DEFAULT ORDER

NOW ON THIS Fifteenth Day of February, 2003, comes before the Board a disciplinary petition alleging Respondent Samwel O. Odinga engaged in a violation of the occupational therapy practice act. Petitioner appears through Shelly R. Wakeman, Disciplinary Counsel to the Board. Respondent does not appear.

The Board finds and concludes that Respondent is in default by his non-appearance. The Board further makes findings of fact consistent with the allegations made in the Petition. Based upon the agency record, and taking official notice of Section 566.032 of the Revised Missouri Statutes, the Board finds, concludes and orders as follows:

1. Respondent was issued a registration under the occupational therapy practice act on April 27, 1996. By an act of the Kansas legislature, this registration will become a license to engage in the practice of occupational therapy on April 1, 2003.
2. On June 27, 2002, Respondent pled guilty to First Degree Statutory Rape in Vernon County, Missouri Circuit Court. This crime involves sexual intercourse with another person who is less than 14 years old.
3. K.S.A. 65-5410(a)(2) and (3), as in effect prior to July 1, 2002, provides that a registration under the occupational therapy practice act may be revoked if the registrant has been

convicted of a felony, or if the registrant has been guilty of unprofessional conduct. K.A.R. 100-54-5(r) defines unprofessional conduct to include commission of any act of sexual, psychological or physical abuse or exploitation.

4. Respondent's registration should be revoked.

IT IS, THEREFORE, ORDERED THAT the registration of Samwel O. Odinga is hereby revoked.

PLEASE TAKE NOTICE that this is a Proposed Default Order. A party upon whom a proposed default order is served may file a written motion to vacate the proposed order within 7 days following service of the order. Any such motion must be served upon the Board's executive director at 235 S. Topeka Blvd., Topeka, KS 66603. If the order is not vacated, or if no motion requesting that the motion be vacated is timely filed, then the proposed order becomes the Final Order of the Board upon the expiration of time for filing a motion to vacate.

Dated this _18TH_ Day of February, 2003.

Kansas State Board of Healing Arts

_____/s/_____
Lawrence T. Buening, Jr.
Executive Director

Certificate of Service

2003

I certify that the foregoing Final Order was served this 19th day of February/ by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Samwel O. Odinga
1229 W. Hickory Street
Nevada, MO 64772

and a copy was hand-delivered to:

Shelly R. Wakeman
Disciplinary Counsel
235 S. Topeka Blvd.
Topeka, Kansas 66603

_____/s/ Sheryl Snyder_____