

AUG 09 2012

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

KS State Board of Healing Arts

In the Matter of)
CANDY M. PATTERSON, R.T.,)
)
Application for Kansas Licensure)
_____)

KSBHA Docket No. 12-HA00085

**JOURNAL ENTRY DENYING APPLICATION
FOR REINSTATEMENT OF LICENSURE**

COMES NOW the Kansas State Board of Healing Arts ("Board"), by and through its Executive Director, Kathleen Selzler Lippert, in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.*, as amended, and upon due consideration of the agency record and the applicable law, and otherwise being duly advised in the premises, makes the following determinations:

1. Applicant's last known mailing address provided to the Board is 404 Pennell, Carl Junction, Missouri, 67834.
2. Applicant was originally issued License No. 16-03175 on April 29, 2005, to practice respiratory therapy in the State of Kansas.
3. On May 15, 2007, Applicant was randomly selected to provide proof of her continuing education hours to the Board. Applicant failed to provide the requested information, and as a result, a Summary Order was issued cancelling her license for failure to provide the requested information.
4. On or about January 13, 2012, Applicant submitted an application to reinstate her license to practice respiratory therapy in the State of Kansas. Such application was deemed complete and filed with the Board on May 23, 2012.

5. On or about May 23, 2012, Respondent filed a Response in Opposition to Application for Reinstatement to Practice Respiratory Therapy (“Response”). The allegations set forth in the Response are incorporated herein by reference in their entirety.

6. Applicant was served with a copy of the Response on or about May 23, 2012, by United States mail, first-class postage prepaid.

7. A conference hearing regarding the Application for Reinstatement was scheduled to be held on June 22, 2012, at the offices of the Kansas State Board of Healing Arts.

8. Pursuant to K.S.A. 2010 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 May 30, 2012.

9. The Notice of Conference Hearing provided Licensee 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.

10. Applicant failed to appear at the Conference Hearing on June 22, 2012.

11. Pursuant to K.S.A. 77-516 and K.S.A. 2010 Supp. 77-520, Applicant was in default for her failure to appear at the conference hearing on June 22, 2012. Upon review of the agency record and after being fully advised, the Board found and concluded that the facts and allegations set forth in the Response in Opposition to Application for Reinstatement to Practice Respiratory Therapy were deemed undisputed.

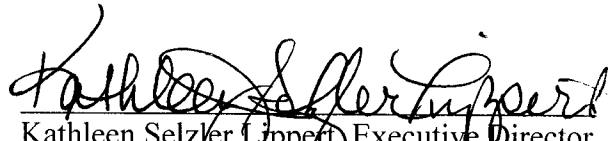
12. On July 18, 2012, a Proposed Default Order was issued against Applicant and copies of the Proposed Default Order were mailed to Applicant’s mailing addresses by United States Mail, first-class postage prepaid.

13. Pursuant to K.S.A. 2010 Supp. 77-520, the Proposed Default Order notified Applicant that the order would become effective as a Final Order of the Board seven (7) calendar days following service of the order, unless within that seven (7) day period Licensee filed a written motion with the Board requesting that the proposed default order be vacated.

14. Applicant failed to file a Motion to Vacate the Proposed Default Order within the seven (7) day period following service of the order.

15. Pursuant to K.S.A. 77-520 and 77-531, the Proposed Default Order became effective as a Final Order on July 30, 2012, and Applicant's application for reinstatement of license to practice respiratory therapy in the State of Kansas was **DENIED**.

IT IS SO ORDERED THIS 8 DAY OF AUGUST, 2012, IN THE CITY OF
TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing **JOURNAL ENTRY DENYING APPLICATION FOR REINSTATEMENT OF LICENSURE** was served this 9th day of August, 2012 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Candy M. Patterson, R.T.
404 Pennell
Carl Junction, MO 67834

And a copy was hand-delivered to:

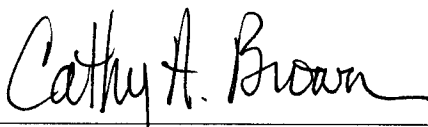
Stacy R. Bond, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Katy Lenahan, Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Ann Halferty, Assistant 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:

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



Cathy Brown, Executive Assistant

JUL 18 2012

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

KS State Board of Healing Arts

In the Matter of
CANDY M. PATTERSON, R.T.,
Application for Kansas Licensure

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KSBHA Docket No. 12-HA00085

PROPOSED DEFAULT ORDER DENYING
APPLICATION FOR REINSTATEMENT OF LICENSURE

NOW on this 22nd day of June 2012, comes before the Kansas State Board of Healing Arts ("Board") the application of Candy M. Patterson, R.T. ("Applicant") for reinstatement of her license to practice respiratory therapy in the State of Kansas. Stacy R. Bond, Associate Litigation Counsel, appears for Respondent Board. Applicant fails to appear.

Pursuant to the authority granted to the Board by the Kansas Respiratory Therapy Act, K.S.A. 65-5501, and in accordance with the provisions of the Kansas Administrative Procedure Act K.S.A. 77-501 *et seq.*, the Board hereby enters this Default Order in the above-captioned matter.

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

1. Applicant's last known mailing address provided to the Board is 404 Pennell, Carl Junction, Missouri, 67834.
2. Applicant currently holds an active respiratory therapy license in Oklahoma and an inactive respiratory therapy license in Missouri.
3. Applicant was originally licensed in Kansas on April 29, 2005.
4. On May 15, 2007, Applicant was randomly selected to provide proof of her continuing education hours to the Board. Applicant failed to provide the requested information,

and as a result, a Summary Order was issued cancelling her license for failure to provide the requested information.

5. On or about January 13, 2012, Applicant submitted an application to reinstate her license to practice respiratory therapy in the State of Kansas. Such application was filed with the Board on May 23, 2012.

6. On or about May 23, 2012, Respondent filed a Response in Opposition to Application for Reinstatement to Practice Respiratory Therapy (“Response”). The allegations set forth in the Response are incorporated herein by reference in their entirety.

7. Applicant was served with a copy of the Response on May 23, 2012, by United States mail, first-class postage prepaid.

8. A conference hearing regarding the Application for Reinstatement was scheduled to be held on June 22, 2012.

9. Applicant was served with a Notice of Conference Hearing by United States Mail, first-class postage prepaid, on May 30, 2012.

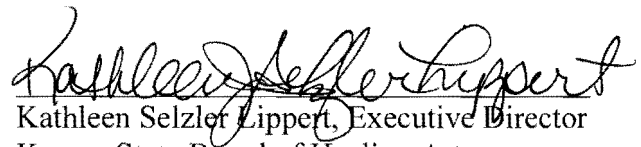
10. Applicant failed to appear at the conference hearing on June 22, 2012.

11. The allegations set forth in the Response filed on May 23, 2012, are deemed undisputed.

12. Pursuant to K.S.A. 77-516 and K.S.A. 2010 Supp. 77-520, Applicant was in default for his failure to appear at the conference hearing on June 22, 2012. Upon review of the agency record and after being fully advised, the Board found and concluded that the allegations against Applicant, as stated in the Response, are deemed undisputed.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Applicant's application for licensure to practice respiratory therapy is hereby DENIED.

IT IS SO ORDERED THIS 18 DAY OF JULY, 2012, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts

NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Proposed Default Order. This order will become effective as a Final Order of the Board seven (7) calendar days following service of this order, as indicated in attached the Certificate of Service, unless within that seven (7) day period Licensee files a written motion requesting that the proposed default order be vacated and stating the grounds relied upon. Any such motion must be filed with Kathleen Selzler Lippert, the Board's Executive Director, at 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 **PROPOSED**
DEFAULT ORDER DENYING APPLICATION FOR LICENSURE was served this 18th
day of July, 2012 by depositing the same in the United States Mail, first-class, postage prepaid,
and addressed to:

Candy M. Patterson, R.T.
404 Pennell
Carl Junction, MO 67834

And a copy was hand-delivered to:

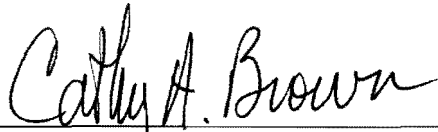
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Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
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Cathy Brown, Executive Assistant