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MAY 01 2012

KS State Board of Healing Arts

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

In the Matter of)
Haley Pierce, R.T.)
)
Kansas License No. 16-04192)
_____)

KSBHA Docket No. 12-HA00064

FINAL ORDER GRANTING LICENSURE

NOW on this 13th day of April 2012, comes before the Kansas State Board of Healing Arts ("Board") the application of Haley Pierce, R.T. ("Applicant") for licensure to practice as a respiratory therapist in the State of Kansas. Applicant appears in person and *pro se*. Jessica A. Bryson, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to the Board by K.S.A. 65-5501 *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 Final Order in the above-captioned matter. After reviewing the agency record, the evidence presented, and hearing the statements and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. On or about July 11, 2011, Applicant submitted an application for a license to practice respiratory therapy in the State of Kansas. Such application was deemed complete and filed with the Board on or about March 19, 2012.
2. On or about March 19, 2012, Respondent filed a Response in Opposition to Application for License to Practice Respiratory Therapy, alleging that Applicant committed unprofessional conduct in violation of K.S.A. 65-5510(a)(2).

3. The Board concludes that K.S.A. 65-5510(a)(2) is not intended to apply to the specific acts and conduct alleged by Respondent to be violations. This conclusion strictly relates to the particular facts as alleged in this matter and is not deemed to be precedential in nature.

4. The Board concludes that Respondent has failed to prove by a preponderance of the evidence that Applicant committed unprofessional conduct in violation of K.S.A. 65-5510(a)(2).

5. The Board concludes granting of licensure is warranted in the circumstances.

IT IS HEREBY ORDERED that Applicant is hereby GRANTED a license to practice as a respiratory therapist in the State of Kansas.

IT IS SO ORDERED THIS 30 DAY OF APRIL 2012, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Kathleen Selzler Lippert
Executive Director
Kansas State Board of Healing Arts

Prepared by:


Kelli J. Stevens, #16032
General Counsel

NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service, and service of a Final Order is complete upon mailing. Pursuant to K.S.A. 77-529, Licensee may petition the Board for Reconsideration of a Final Order within fifteen (15) days following service of the final order. Additionally, 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, 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 and correct copy of the above foregoing **FINAL ORDER GRANTING LICENSURE** was served this 1st day of ~~April~~ May 2012 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

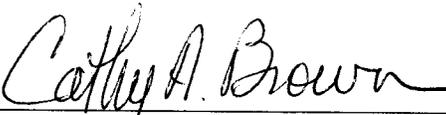
Haley K. Pierce, R.T.
confidential
Leavenworth, KS 66048

And a copy was hand-delivered to:

Jessica A. 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

And the original was filed with the office of the Executive Director.



Cathy Brown
Executive Assistant