

**FILED** *CHD*  
DEC 29 2011  
KS State Board of Healing Arts

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

**In the Matter of** )  
**DELORIS MARIE PIETZSCH, O.T.A.** )  
 )  
**Kansas License No.: 18-00616** )  
\_\_\_\_\_ )

**KSBHA Docket No. 12-HA00041**

**JOURNAL ENTRY OF SATISFACTION OF SUMMARY ORDER**

NOW on this 29<sup>th</sup> day of December ~~November~~ 2011, this matter comes before Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts ("Board"), regarding Licensee's satisfaction of all the requirements contained in the Summary Order filed on or about November 16, 2011.

Wherefore, the Board finds as follows:

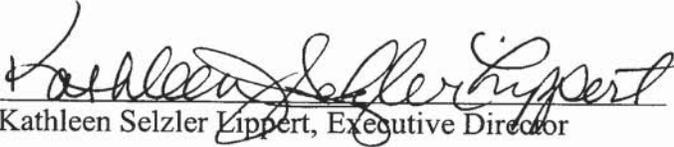
1. On or about November 16, 2011, a Summary Order was filed with the Board suspending Licensee's license until payment for Licensee's license renewal was made by cashier's check or money order.
2. On or about November 21, 2011, Licensee submitted payment in the amount of \$72.00 by money order.
3. Licensee has satisfactorily met all requirements of the Summary Order prior to the Summary Order becoming effective as a Final Order.
4. Licensee has no further obligation for compliance.

**IT IS THEREFORE ORDERED** that Licensee is hereby discharged from all requirements of the Summary Order filed on November 16, 2011.

**IT IS SO ORDERED.**

Dated this 29<sup>th</sup> day of Dec, 2011.

**KANSAS STATE BOARD OF HEALING ARTS**

  
Kathleen Selzler Lippert, Executive Director

**CERTIFICATE OF SERVICE**

I, the undersigned, Kansas State Board of Healing Arts, hereby certify that I served a copy of the above and foregoing **Journal Entry of Satisfaction**, by depositing the same in the United States mail, postage prepaid, on this 29<sup>th</sup> day of December, 2011, addressed to:

Deloris Marie Pietzsch  
15907 Prairie Way  
Basehor, KS 66007

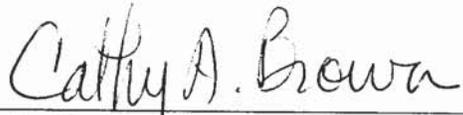
and a copy hand delivered to:

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, KS 66612

and the original was filed with:

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

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KANSAS STATE BOARD OF HEALING ARTS

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

**In the Matter of** )  
**DELORIS MARIE PIETZSCH, O.T.A.,** )  
 )  
**Kansas License No. 18-00616** )  
\_\_\_\_\_ )

**Docket No. 12-HA** 00041

**SUMMARY ORDER**

**NOW ON THIS** 16<sup>th</sup> day of November, 2011, this matter comes before Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537. This Summary Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for hearing is made, pursuant to K.S.A. 77-542.

Upon review of the agency record and being duly advised in the premises, the following findings of fact, conclusions of law and order are made for and on behalf of the Board:

**Findings of Fact**

1. Deloris Marie Pietzsch, O.T.A. ("Licensee") was originally issued license number 18-00616 to practice as an Occupational Therapist Assistant in the state of Kansas on February 4, 2005. Licensee's license is currently active.
2. Licensee's last known mailing address as provided to the Board is: 15907 Prairie Way, Basehor, Kansas 66007.
3. On or about March 30, 2011, the Board received a request from Licensee to renew her O.T.A. license.
4. At that time, Licensee also remitted payment in the amount of \$ 76.25. That amount included \$ 72.00 for Licensee's renewal fee and \$ 4.25 for the KanPay Portal Processing

Fee.

5. As a result, Licensee's request was approved, and her license was renewed.
6. On April 6, 2011, Kansas.gov received notice that Licensee's checking account had insufficient funds to cover the \$ 76.25 that Licensee authorized Kansas.gov to obtain.
7. On September 14, 2011, Kansas.gov invoiced the Board for collection of the \$ 72.00.
8. On September 22, 2011, the Board sent a letter to Licensee, at the practice address of record provided on her renewal application, advising her that payment had not been received for her renewal application due to insufficient funds and that she needed to remit a cashiers check or money order by September 30, 2011, for \$ 105.00. This was to cover the original licensing payment fee of \$ 75 and the \$ 30.00 returned check charge.
9. On October 7, 2011, the Board's letter was returned as not being deliverable as addressed.
10. On October 6, 2011, a second notice was sent via certified mail to Licensee at her mailing address of record, advising her that her payment had been returned for insufficient funds and that she needed to remit a cashiers check or money order for \$ 105.00 by October 17, 2011.
11. On October 8, 2011, Blaine Kempf signed for the letter.
12. As of November 14, 2011, Licensee has not remitted payment to renew her O.T.A.. license for the 2011-2012 period.
13. Upon further review, it was determined that Licensee only owed \$ 72.00 for the online renewal fee.

**Applicable Law**

14. K.S.A. 65-5406 states, in pertinent part: (a) An applicant applying for

licensure as a respiratory therapist shall file a written application on forms provided by the board, showing to the satisfaction of the board that the applicant meets the following requirements: (4) Fees: The applicants shall pay to the board all applicable fees established under K.S.A. 65-5409 and amendments thereto.

15. K.S.A. 65-5409 states, in pertinent part: The board shall charge and collect in advance fees provided for in this act as fixed by the board by rules and regulations, subject to the following limitations:

License renewal fee, not more than. . . . . \$ 80.00

16. K.A.R. 100-54-4 states, in pertinent part: The following fees shall be collected by the board:

(c) License renewal: ... (2) On-line renewal . . . . . \$ 72.00

17. K.S.A. 65-5410 states, in pertinent part: (a) The board may deny, refuse to renew, suspend, revoke or limit a license or the licensee may be publicly or privately censured where the licensee or applicant for licensure has been guilty of unprofessional conduct which has endangered or is likely to endanger the health, welfare or safety of the public.

Unprofessional conduct includes:

(1) Obtaining a license by means of fraud, misrepresentation or concealment of material facts; . . .

(4) violating any lawful order or rule and regulation of the board; and

(5) violating any provision of this act.

**Conclusions of Law**

18. The Board has jurisdiction over Licensee as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

19. The Board finds that Licensee violated K.S.A. 65-5410 by failing to pay the renewal application fee as provided for in K.S.A. 65-5409 and K.A.R. 100-54-4.

20. Based on the facts and circumstances set forth herein, it appears that the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in

K.S.A. 77-537(a), in that the use of summary proceedings does not violate any provision of the law and the protection of the public interest does not require the Board to give notice and opportunity to participate to persons other than Licensee, Deloris Marie Pietzsch, O.T.A.

**IT IS, THEREFORE, ORDERED** that: Licensee's license is hereby **SUSPENDED** until such time as the application fee of \$ 72.00 is paid. Such payment shall be made by cashiers check or money order only.

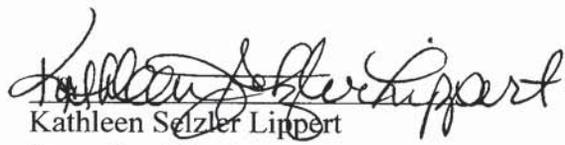
**NOTICE AND OPPORTUNITY FOR HEARING**

**PLEASE TAKE NOTICE** that this is a Summary Order. A party to whom a Summary Order is issued may file a written request for a hearing pursuant to K.S.A. 77-542 within 15 days following service of the Summary Order. Such written request shall also state the legal and/or factual basis upon which the party opposes this Order. If a hearing is not requested, the Summary Order shall become effective as a Final Order of the Board upon expiration of the time for requesting a hearing. A written request for hearing must be addressed and mailed to Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson Lower Level Ste A, Topeka, KS 66612.

**PLEASE TAKE NOTICE** that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

Dated this 16<sup>th</sup> day of November, 2011.

Kansas State Board of Healing Arts

  
Kathleen Selzler Lippert  
Executive Director

**Certificate of Service**

I certify that the foregoing Summary Order was served this 16<sup>th</sup> day of November, 2011, by depositing the same in the United States Mail, via certified mail and regular mail, postage prepaid, and addressed to:

Deloris Marie Pietzsch  
15907 Prairie Way  
Basehor, KS 66007  
Article # 7011 0470 0002 3662 6234  
(Current Mailing Address of Record)

Deloris Marie Pietzsch  
15907 Prairie Way  
Basehor, KS 66007  
Sent via Regular Mail  
(Current Mailing Address of Record)

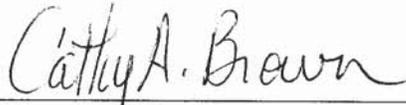
and a copy was hand-delivered to:

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

Jessica A. Bryson  
Associate Litigation Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson Lower Level, Ste A  
Topeka, KS 66612

and the original was filed with the office of the Executive Director:

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

  
\_\_\_\_\_  
Cathy Brown  
Executive Assistant