

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

In the Matter of)
)
Nadir Quinn, R.T.)
License No. 16-03623)
_____)

Docket Number: 11-HA00012

FINAL ORDER

COMES NOW the Kansas State Board of Healing Arts (“Board”), by and through its Executive Director, Kathleen Selzler Lippert (“Executive Director”), a duly authorized representative of the Board in accordance with K.S.A 2010 Supp. 77-514 to conduct summary proceedings pursuant to K.S.A 2010 Supp. 77-537, and, pursuant to the authority in K.S.A. 65-5401, *et seq.*, and, in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, hereby enters the following findings of fact, conclusions of law, and Final Order in the above-captioned matter:

Findings of Fact

The Board has been shown the following facts:

1. Nadir Quinn, R.T. (“Licensee”), ^{CONFIDENTIAL} 108, Lenexa, KS 66215, is licensed to practice as a respiratory therapist in the State of Kansas, License No. 16-03623, and has been so licensed since May 14, 2008.
2. On August 16, 2010, the Executive Director issued a Summary Order regarding Licensee’s license to practice as a respiratory therapist in the State of Kansas.
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 was requested, the Summary Order would become effective as a Final Order of the Board upon expiration of the time for requesting a hearing.

4. No hearing has been requested by any party.
5. The Summary Order contained a provision assessing a CIVIL FINE against Licensee in the amount of \$100.00 due on within 30 days of the effective date of the Summary Order.
6. The Summary Order ordered Licensee to submit proof of 12 hours of continuing education, due within 90 days of the effective date of the Summary Order.
7. The Summary Order provided that Licensee's license shall be suspended for failure to pay the \$100.00 civil fine within 30 days of the effective date of the Summary Order..
8. The Summary Order provided that Licensee's license shall be suspended for failure to provide documented evidence of 12 continuing education hours within 90 days of the effective date of the Summary Order.
9. Licensee has not remitted payment of the civil fine assessed by the Summary Order.
10. Licensee has not submitted proof of the continuing education hours as required by the Summary Order.

Applicable Law

- a. K.S.A. 77-501 *et seq.*
- b. K.S.A. 65-5501 *et seq.*
- c. K.S.A. 65-5510
- d. K.S.A. 65-5512
- e. K.A.R. 100-55-5
- f. K.A.R. 100-55-6
- g. K.A.R. 100-55-7

Conclusions of Law

Based upon the Findings of Fact enumerated in Paragraphs #1 through #10 and the Applicable Law set forth above:

THE BOARD HEREBY CONCLUDES AS FOLLOWS:

11. On August 16, 2010, the Executive Director issued a Summary Order regarding Licensee's license to practice as a respiratory therapist in the State of Kansas.

12. The Summary Order contained a notice that a written request for hearing could be filed within 15 days following service, but if no hearing was requested, the Summary Order would become effective as a Final Order of the Board upon expiration of the time for requesting a hearing.

13. No hearing has been requested by any party.

14. The Summary Order contained a provision assessing a civil fine against Licensee in the amount of \$100.00 due within 30 days of the effective date of the Summary Order.

15. The Summary Order ordered Licensee to submit proof of 12 hours of continuing education, due within 90 days of the effective date of the Summary Order.

16. The Summary Order provided that Licensee's license shall be suspended for failure to pay the \$100.00 civil fine within of the effective date of the Summary Order.

17. The Summary Order provided that Licensee's license shall be suspended for failure to provide documented evidence of 12 continuing education hours within 90 days of the effective date of the Summary Order.

18. Licensee has not remitted payment of the civil fine assessed by the Summary Order.

19. Licensee has not submitted proof of the continuing education hours as required by the Summary Order.

IT IS, HEREBY ORDERED BY THE KANSAS STATE BOARD OF HEALING ARTS THAT:

20. The Summary Order became effective as a Final Order on September 9, 2010.

21. Licensee has not remitted payment of the civil fine assessed by the Summary Order. Such fine is due within 30 days of the effective date of the Summary Order.

22. Licensee has not remitted proof of the continuing education hours required by the Summary Order. Such hours are due within 90 days of the effective date of the Summary Order.


23. Licensee's license is hereby SUSPENDED for failure to remit payment of the civil fine as required by the Summary Order.

24. Licensee's license is hereby SUSPENDED for failure to submit proof of the continuing education hours as required by the Summary Order.

25. The SUSPENSION shall be effective upon service of this Final Order.

26. The Board shall maintain jurisdiction over this matter to issue any further order(s) deemed necessary and appropriate in the circumstances.

IT IS SO ORDERED THIS 6th 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 Final Order. A Final Order is effective upon service. 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, do hereby certify that on the 6th day of June, 2012,
a true and correct copy of the above and foregoing was deposited in the United States mail, first
class postage prepaid to the following:

Nadir Quinn RT
CONFIDENTIAL
Lenexa, KS 66215


A courtesy copy was provided to:

Office of the General Council
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:

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