

**FILED**

*CAB*

DEC 08 2009

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

KS State Board of Healing Arts

In the Matter of	)	
	)	
Shannon Lee Shears, LRT	)	Docket No. 09-HA00144
	)	
<u>Kansas license No. 22-01780</u>	)	

**JOURNAL ENTRY OF SATISFACTION  
OF REQUIREMENTS OF FINAL ORDER**

NOW, on this 8<sup>th</sup> day of December 2009, this matter comes before Kathleen Selzler Lippert, Interim Executive Director, Kansas State Board of Healing Arts (“Board”), concerning Licensee’s satisfaction of all requirements contained in the Final Order which was filed on October 26, 2009. Wherefore, the Board finds as follows:

1. On or about October 26, 2009, the Board issued a Final Order regarding the license of Shannon Lee Shears, LRT (“Licensee”) to practice as a Radiologic Technologist in the state of Kansas. The Final Order contained a provision for Licensee to pay a fine in the amount of \$100 with in thirty (30) days.
2. Licensee paid the \$100 fine on November 26, 2009
3. Licensee has satisfied all requirements of the Final Order and has no further obligation for compliance.

**ITS IS THEREFORE ORDERED** that Licensee is hereby discharged from the requirements of the Final Order filed on October 26, 2009.

**IT IS SO ORDERED**

**KANSAS STATE BOARD OF HEALING ARTS**

  
Kathleen Selzler Rippert  
Interim Executive Director

12-7-09  
Date

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing Journal Entry of Satisfaction was served on the 8<sup>th</sup> day of December, 2009 by United States mail, first class postage prepaid and addressed to:

Shannon Lee Shears  
2800 Chess Ave.  
Parsons, KS 67357

and a copy hand delivered to the office of:

Kelli Stevens  
Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 6603-3068

Katy Lenahan  
Licensing Administrator  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3068

and the original filed with the office of the Executive Director.

Kathleen Selzler Lippert  
Interim Executive Director  
Kansas State Board of Healing Arts  
235 S Topeka Blvd  
Topeka, KS 66603

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

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

FILED *CAD*  
OCT 26 2009  
KS State Board of Healing Arts

In the Matter of )  
Shannon Shears, LRT )  
 )  
Kansas License No. 22-01780 )  
\_\_\_\_\_ )

Docket No. 09-HA00144

FINAL ORDER

NOW ON THIS 16th day of October, 2009, this matter comes on for hearing on the Board's Motion to Review Initial Order. Respondent does not appear. Stacy Bond, Associate Litigation Counsel, appears for the Board. There are no other appearances.

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

1. A hearing was held in this matter on August 14, 2009, before Presiding Officer Terry Webb, D.C.
2. By Initial Order filed September 23, 2009, the Presiding Officer found that the respondent violated K.S.A. 65-7307(c).
3. Respondent was fined \$100.
4. The Board adopts the findings of fact and conclusions of law of the Initial Order and incorporates the same by reference into this Final Order.

**IT IS, THEREFORE, ORDERED** that Respondent is fined in the amount of \$100 due within 30 days of service of this Order.

**PLEASE TAKE FURTHER 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 the Board's President at 235 SW. Topeka Blvd., Topeka, KS 66603

Kansas State Board of Healing Arts

  
Michael Beezley, M.D.  
Board President



**Certificate of Service**

I certify that a true copy of the foregoing Final Order was served this 26<sup>th</sup> day of October, 2009, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Shannon Shears, LRT  
2800 Chess Ave.  
Parsons, KS 67357

And a copy was hand-delivered to the office of

Stacy Bond  
Associate Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, KS 66603

And

Melissa Massey  
Compliance Coordinator  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, KS 66603

And the original filed with the office of the Executive Director

  
\_\_\_\_\_

**FILED**

SEP 15 2009

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

**KS State Board of Healing Arts**

**In the Matter of** )  
**Shannon Shears, LRT** )  
 )  
**Kansas License No. 22-01780** )  
\_\_\_\_\_ )

**Docket No. 09-HA00144**

**INITIAL ORDER**

**NOW ON THIS** 14th day of August, 2009, this matter comes on for hearing before Terry Webb, D.C., Presiding Officer. Respondent appears in person, *pro se*. Stacy Bond, Associate Litigation Counsel, appears for the Board. There are no other appearances.

Having the agency record before him, hearing the statements and arguments of the parties and being duly advised in the premises, the Presiding Officer finds, concludes and orders as follows:

1. On or about August 22, 2008, Respondent submitted an application for renewal of her license.
2. Pursuant to K.S.A. 65-2307 and K.A.R. 100-73-7 each Licensee desiring to renew a Radiologic Technologist license must have completed at least twelve (12) credits of continuing education and to provide proof of completion to the Board upon request.
3. As part of the renewal process, Respondent certified that the rules regarding continuing education had been read, that compliance had been achieved, and that documentation of the continuing education would be maintained for a three-year period and produced to the Board upon request.

4. Respondent was randomly selected to provide verification of compliance with the continuing education requirements and on November 14, 2008, a letter was mailed to Respondent requesting that Respondent provide no later than December 31, 2008, the records relied upon when Respondent certified achievement of the required continuing education.
5. Respondent did not provide the required documentation to the Board by the due date.
6. On February 9, 2009, a Summary Order was filed which ordered Respondent to pay a fine of \$250 and provide proof of satisfactory completion of the continuing education requirements.
7. On or about February 17, 2009, Respondent requested a hearing on this matter in a timely fashion.
8. Respondent had completed the required continuing education credits and attempted to provide proof to the board via facsimile before December 31, 2008.
9. Respondent did not receive proof of delivery of her facsimile transmission.
10. Board Policy 08-03 states that the appropriate discipline in this matter is a fine of \$250.
11. The Presiding Officer specifically finds, pursuant to the Board's Guidelines for Disciplinary Sanctions, that since Respondent attempted to comply with the Board's audit request the violation was inadvertent, not intentional.
12. The Presiding Officer specifically finds, pursuant to the Board's Guidelines for Disciplinary Sanctions, that since Respondent had completed all continuing education requirements this is an isolated incident that is unlikely to reoccur.

13. Based upon the foregoing mitigating factors, the Presiding Officer rescinds the Summary Order and enters a fine of \$150 to respondent for violation of K.S.A. 65-7307(c).

**IT IS THEREFORE ORDERED** that Respondent is fined in the amount of \$150 payable within 30 days of the date this Initial Order becomes a Final Order.

**PLEASE TAKE NOTICE** that this is an Initial Order. A party to an agency proceeding may seek review of an Initial Order by filing a petition for review within 15 days following service of the Initial Order. Any such petition must be filed with the Executive Director at 235 S. Topeka Blvd., Topeka, KS 66603.

**PLEASE TAKE FURTHER NOTICE** that Board will, on its own motion, review this Initial Order at its regularly scheduled meeting on October 16, 2009 at a time to be determined. At the conclusion of the review the Board shall issue a Final Order. Upon conducting review, the Board may exercise all of the decision making authority as if it had heard the matter itself. Except to the extent that a party has identified an issue for review in a timely petition for review, the Board generally limits its review to the disciplinary orders entered by the Presiding Officer based upon the findings of fact in the Initial Order. Any party may file a brief with the Board's Executive Director.

Dated this 15<sup>th</sup> day of September, 2009.

Kansas State Board of Healing Arts

  
Terri Webb, D.C.  
Presiding Officer

**Certificate of Service**

I certify that the foregoing Initial Order was served this 14<sup>th</sup> day of Sept., 2009, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Shannon Shears, LRT  
2800 Chess Ave.  
Parsons, KS 67357

and a copy was hand-delivered to:

Stacy Bond  
Associate Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, Kansas 66603

And the original deposited for filing in the office of the Executive Director.

  
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