

FILED

CAD

MAY 24 2010

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

KS State Board of Healing Arts

In the Matter of)	
)	
Joyce A Sloan RT)	Docket No. 10-HA00076
)	
<u>Kansas license No. 16-03534</u>)	

FINAL ORDER

NOW, on this 21st day of May 2010, this matter comes before Kathleen Selzler Lippert, Executive Director of the Kansas State Board of Healing Arts. After reviewing the file and being advised in the premises, the Interim Executive Director makes the following determinations.

1. On March 24, 2010 the Executive Director issued a Summary Order regarding the license of Joyce A Sloan, R.T. ("Licensee") to practice as a respiratory therapist in the state of Kansas. The Summary Order contained a provision for the Licensee to submit proof of 40 hours of continuing education, due within fifteen (15) days of the effective date of the Summary Order.
2. On March 24, 2010, the Executive Director issued a Summary Order regarding the license of Joyce A Sloan, R.T. ("Licensee") to practice as a respiratory therapy in the state of Kansas. The Summary Order contained a provision assessing a \$100 civil fine against Licensee for failure to have met the continuing education requirement at the time of renewal, due and payable within fifteen (15) days of the effective date of the Summary Order.
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 is requested, the Summary Order would

be come effective as a Final Order of the Board upon expiration of the time for the requesting a hearing.

4. No hearing has been requested by any party; therefore the Summary Order became effective as a final order on April 13, 2010.

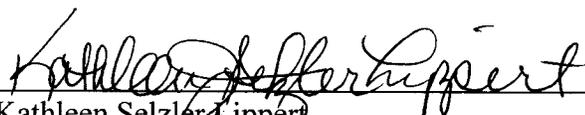
IT IS SO ORDERED

NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. Pursuant to K.S.A. 77-601 *et. seq.* a party to whom a Final Order is issued may petition for judicial review of this Final Order. The petition for judicial review must be filed within thirty (30) days of service of this Final Order. In the event a petition for judicial review is filed pursuant to K.S.A. 77-613(e), the Agency Officer to be served on behalf of the Kansas State Board of Healing Arts is Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts, 235 S Topeka Blvd., Topeka, Kansas 66603.

DATED this 21st day of May, 2010

KANSAS STATE BOARD OF HEALING ARTS



Kathleen Selzler Lippert
Executive Director

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Final Order was served this ^{7/1/10}1 day of May, 2010 by United States mail, first class postage prepaid and addressed to:

Joyce A Sloan, RT
2007 Swissvale Ave
Pittsburgh, PA 15221

Joyce A Sloan, RT
VA Hospital – Iron Mt.
325 E H Street
Iron Mountain, MI 49801

and a copy hand delivered to the office of:

Stacy Bond
Associate 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 Interim 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

FILED CAB

MAR 24 2010

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

KS State Board of Healing Arts

In the Matter of)
)
Joyce A Sloan, RT)
License No. 16-03534)
_____)

Docket Number: 10-HA00076

SUMMARY ORDER

NOW ON THIS 24 day of March, 2010, this matter comes before Kathleen Selzler Lippert, Acting Executive Director, Kansas State Board of Healing Arts (“Board”), in summary proceedings pursuant to K.S.A. 77-537.

After reviewing 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:

1. Joyce A Sloan, RT (“Licensee”) was originally issued license number 16-03534 to practice as a respiratory therapist in the State of Kansas on August 31, 2007.
2. On or about March 27, 2009, Licensee submitted an application for renewal of their license.
3. Pursuant to K.S.A. 65-5512 and K.A.R. 100-55-7 each Licensee desiring to renew a respiratory therapy license must have completed at least 12 credits of continuing education and to provide proof of completion to the Board upon request
4. As part of the renewal process, Licensee 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.
5. Licensee was randomly selected to provide verification of compliance with the continuing education requirements and on June 16, 2009, a letter was mailed to Licensee

requesting that Licensee provide no later than July 20, 2009, the records relied upon when Licensee certified achievement of the required continuing education.

6. A second letter requesting proof of continuing education by August 7, 2009 was sent to licensee on July 21, 2009 by certified mail through the United States Postal Service. This certified letter was returned to the Board on August 24th unclaimed.

7. A third letter requesting proof of continuing education by September 15, 2009 was sent to licensee on August 27, 2009 by certified mail through the United States Postal Service to her practice address on file.

8. The third request letter was signed for by a representative for the licensee on September 1, 2009.

9. Licensee failed to provide documented evidence of continuing education by the due date.

9. A Summary Order was filed on October 2, 2009 for failure to respond to the audit.

10. A Final Order was filed on December 9, 2009, stating the Summary Order had become effective as a Final Order on October 20, 2009 and that no hearing had been requested.

11. Copies of continuing education for March 2008 were received on January 26, 2010. A letter was sent informing the licensee that proof of continuing education was being requested April 1, 2008 to March 31, 2009.

12. Licensee never responded to this request for the correct continuing education.

13. By failing to provide documented evidence of her continuing education, Licensee has violated K.S.A. 65-5510(a)(4), violating any lawful order or rule and regulation of the board, specifically K.A.R. 100-55-5(h) failing to furnish to the Board, or to its investigators or representatives, any information legally requested by the Board.

14. In addition to any other penalty prescribed under the Respiratory Therapy Practice Act, K.S.A. 65-5510 authorizes the Board to assess an administrative fine in an amount not exceeding \$5,000 for the first violation of the Respiratory Therapy Practice Act.

IT IS, THEREFORE, ORDERED that licensee shall submit proof of the continuing education requirements for the previous year to the Board within fifteen days of the effective date of this order.

IT IS FURTHER ORDERED that licensees license shall be suspended for failure to provide the continuing education.

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 within 15 days following service of the summary 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 request for a hearing must be addressed to Kathleen Selzler Lippert, Acting Executive Director, 235 South Topeka Boulevard, Topeka, Kansas 66603.

DATED this 24 day of March, 2010.

KANSAS STATE BOARD OF HEALING ARTS


Kathleen Selzler Lippert
Acting Executive Director

CERTIFICATE OF SERVICE

I, do hereby certify that on the ^{24th} day of March, 2010, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

Joyce A Sloan, RT
2007 Swissvale Ave
Pittsburgh, PA 15221

Joyce A Sloan, RT
1609 S Stephenson Ave
Unit 323
Iron Mountain, MI 49801

and a copy hand delivered to the office of:

Stacy Bond
Associate 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 Acting Executive Director.

Kathleen Selzler Lippert
Acting Executive Director
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 6603-3068



Cathy Brown
Executive Assistant

FILED

CAP

FEB 03 2010

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

KS State Board of Healing Arts

In the Matter of)	
)	
Joyce A Sloan RT)	Docket No. 10-HA00076
)	
<u>Kansas license No. 16-03534</u>)	

ORDER NUNC PRO TUNC

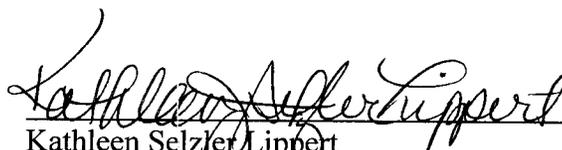
NOW, on this 3rd day of February 2010, this matter comes before the Board for an Order Nunc Pro Tunc. The Final Order in the above captioned case had the respondent's incorrect license number in the caption. The correct license number for the respondent is 16-03534.

WHEREFORE, the caption and text in the Final Order in Docket No. 10-HA00076 is amended Nunc Pro Tunc In the Matter of Joyce A Sloan, R.T., Kansas License No. 16-03534.

IT IS SO ORDERED.

DATED this 3rd day of February, 2010

KANSAS STATE BOARD OF HEALING ARTS



 Kathleen Selzler Lippert
 Interim Executive Director

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Final Order was served this 3rd day of February, 2010 by United States mail, first class postage prepaid and addressed to:

Joyce A Sloan, RT
1609 S Stephenson Ave
Unit 323
Iron Mountain, MI 49801

and a copy hand delivered to the office of:

Stacy Bond
Associate 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 Interim 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 CAB

JAN 21 2010

KS State Board of Healing Arts

In the Matter of)
)
Joyce A Sloan RT) Docket No. 10-HA00076
)
Kansas license No. 6-03534)

FINAL ORDER

NOW, on this 20th day of January 2010, this matter comes before Kathleen Selzler Lippert, Interim Executive Director of the Kansas State Board of Healing Arts. After reviewing the file and being advised in the premises, the Interim Executive Director makes the following determinations.

1. On December 4, 2009 the Interim Executive Director issued a Summary Order regarding the license of Joyce A Sloan, R.T. ("Licensee") to practice as a respiratory therapist in the state of Kansas. The Summary Order contained a provision for the Licensee to submit proof of 40 hours of continuing education, due within fifteen (15) days of the effective date of the Summary Order.

2. On December 4, 2009, the Interim Executive Director issued a Summary Order regarding the license of Joyce A Sloan, R.T. ("Licensee") to practice as a respiratory therapy in the state of Kansas. The Summary Order contained a provision assessing a \$100 civil fine against Licensee for failure to have met the continuing education requirement at the time of renewal, due and payable within thirty (30) days of the effective date of the Summary Order.

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 is requested, the Summary Order would

be come effective as a Final Order of the Board upon expiration of the time for the requesting a hearing.

4. No hearing has been requested by any party; therefore the Summary Order became effective as a final order on December 27, 2009.

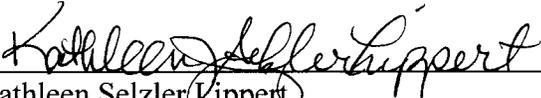
IT IS SO ORDERED

NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. Pursuant to K.S.A. 77-601 *et. seq.* a party to whom a Final Order is issued may petition for judicial review of this Final Order. The petition for judicial review must be filed within thirty (30) days of service of this Final Order. In the event a petition for judicial review is filed pursuant to K.S.A. 77-613(e), the Agency Officer to be served on behalf of the Kansas State Board of Healing Arts is Kathleen Selzler Lippert, Interim Executive Director, Kansas State Board of Healing Arts, 235 S Topeka Blvd., Topeka, Kansas 66603.

DATED this 20th day of January, 2010

KANSAS STATE BOARD OF HEALING ARTS



Kathleen Selzler Lippert
Interim Executive Director

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Final Order was served this 21st day of January, 2010 by United States mail, first class postage prepaid and addressed to:

Joyce A Sloan, RT
2007 Swissvale Ave
Pittsburgh, PA 15221

Joyce A Sloan, RT
VA Hospital – Iron Mt.
325 E H Street
Iron Mountain, MI 49801

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 Interim 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

FILED CAB

DEC 08 2009

K.S. State Board of Healing Arts

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

In the Matter of)
)
Joyce A Sloan, RT)
License No. 16-03534)
_____)

Docket Number: 10-HA00076

SUMMARY ORDER

NOW ON THIS 4th day of ~~November~~ ^{December}, 2009, this matter comes before Kathleen Selzler Lippert, Interim Executive Director, Kansas State Board of Healing Arts (“Board”), in summary proceedings pursuant to K.S.A. 77-537.

After reviewing 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:

1. Joyce A Sloan, RT (“Licensee”) was originally issued license number 16-03534 to practice as a respiratory therapist in the State of Kansas on August 31, 2007.
2. On or about March 27, 2009, Licensee submitted an application for renewal of their license.
3. Pursuant to K.S.A. 65-5512 and K.A.R. 100-55-7 each Licensee desiring to renew a respiratory therapy license must have completed at least 12 credits of continuing education and to provide proof of completion to the Board upon request
4. As part of the renewal process, Licensee 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.

5. Licensee was randomly selected to provide verification of compliance with the continuing education requirements and on June 16, 2009, a letter was mailed to Licensee requesting that Licensee provide no later than July 20, 2009, the records relied upon when Licensee certified achievement of the required continuing education.

6. A second letter requesting proof of continuing education by August 7, 2009 was sent to licensee on July 21, 2009 by certified mail through the United States Postal Service. This certified letter was returned to the Board on August 24th unclaimed.

7. A third letter requesting proof of continuing education by September 15, 2009 was sent to licensee on August 27, 2009 by certified mail through the United States Postal Service to her practice address on file.

8. The third request letter was signed for by a representative for the licensee on Sept 1, 2009.

9. Licensee failed to provide documented evidence of continuing education by the due date.

10. By failing to provide documented evidence of her continuing education, Licensee has violated K.S.A. 65-5510(a)(4), violating any lawful order or rule and regulation of the board, specifically K.A.R. 100-55-5(h) failing to furnish to the Board, or to its investigators or representatives, any information legally requested by the Board.

11. In addition to any other penalty prescribed under the Respiratory Therapy Practice Act, K.S.A. 65-5510 authorizes the Board to assess an administrative fine in an amount not exceeding \$5,000 for the first violation of the Respiratory Therapy Practice Act.

IT IS, THEREFORE, ORDERED Licensee is hereby fined \$100 for failure to respond to the Board's legal request for information. The fine is due within thirty days of the effective date of this order.

IT IS FURTHER ORDERED that licensee shall submit proof of the continuing education requirements for the previous year to the Board within fifteen days of the effective date of this order.

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 within 15 days following service of the summary 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 request for a hearing must be addressed to Kathleen Selzler Lippert, Interim Executive Director, 235 South Topeka Boulevard, Topeka, Kansas 66603.

DATED this 4th day of ~~November~~ ^{December}, 2009.

KANSAS STATE BOARD OF HEALING ARTS


Kathleen Selzler Lippert
Interim Executive Director

CERTIFICATE OF SERVICE

I, do hereby certify that on the 9th day of ~~November~~ ^{December}, 2009, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

Joyce A Sloan, RT
2007 Swissvale Ave
Pittsburgh, PA 15221

Joyce A Sloan, RT
VA Hospital – Iron Mt.
325 E H Street
Iron Mountain, MI 49801

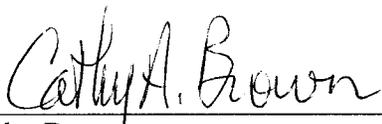
and a copy hand delivered to the office of:

Kelli Stevens
Litigation Counsel
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3068

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 Interim Executive Director.

Kathleen Selzler Lippert
Interim Executive Director
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3068



Cathy Brown
Executive Assistant