

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED

SEP 01 2011

KS State Board of Healing Arts

In the Matter of
Mary S. Thompson, O.T.

Kansas License No. 17-00486

KSBHA Docket No. 12-HA00017

JOURNAL ENTRY OF SATISFACTION OF FINAL ORDER

COMES NOW the Kansas State Board of Healing Arts ("Board"), by and through its Executive Director, Kathleen Selzler Lippert, a duly authorized representative of the Board, in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.*, as amended, and upon due consideration of the file and applicable statutes and being otherwise duly advised in the premises, makes the following determinations:

1. Mary S. Thompson, O.T. ("Licensee") has, since approximately June 16, 1989, maintained License No. 17-00486 to engage in the practice of occupational therapy in the State of Kansas.

2. Licensee's last known mailing address of record provided to the Board is: confidential
confidential Leavenworth, Kansas 66048.

3. On August 10, 2011, Executive Director Selzler Lippert, in accordance with K.S.A. 2010 Supp. 77-514, and as authorized by K.S.A. 65-5410, issued a Summary Order against Licensee for violation of the Occupational Therapy Practice Act. The Summary Order ordered Licensee to pay a civil fine in the amount of \$150.00. The Summary Order ordered Licensee to remit the assessed civil fine to the Board within thirty (30) days following the effective date of the Summary Order.

4. Pursuant to K.S.A. 77-542, the Summary Order notified Licensee that if a written

request for hearing was not filed within fifteen (15) days following service of the Summary Order, the Summary Order would become effective as a Final Order of the Board upon expiration of the time for requesting a hearing. The Summary Order required any written request for hearing to be mailed to Kathleen Selzler Lippert, at 800 SW Jackson, Lower Level-Suite A, Topeka, Kansas 66612.

5. The Summary Order notified Licensee that, upon becoming effective as a Final Order, the document would be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

6. Pursuant to K.S.A. 2010 Supp. 77-531, the Summary Order was served upon Licensee by mailing a copy of the Summary Order to Licensee at Licensee's last known address of record with the Board, via United States Mail, first-class postage prepaid.

7. Pursuant to K.S.A. 77-526 and 77-530, the Summary Order became effective as a Final Order on August 29, 2011.

8. On or about August 29, 2011, Licensee remitted payment in full to the Board of the \$150.00 civil fine.

9. Licensee has satisfied all requirements of the Summary Order and has no further obligation for compliance.

10. Licensee has not requested a hearing on the Summary Order or petitioned the Board for review of the Final Order.

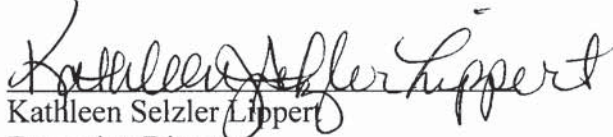
IT IS THEREFORE ORDERED that the Summary Order filed in the above-captioned matter on August 10, 2011 became effective as a Final Order on August 29, 2011.

IT IS FURTHER ORDERED that Licensee has satisfied all requirements of the Final


Order, and is discharged from all requirements of the Final Order.

IT IS FURTHER ORDERED that the Board shall maintain jurisdiction over this matter to issue any further Order(s) deemed necessary and appropriate.

IT IS SO ENTERED THIS 31 **DAY OF** Aug, 2011, **IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**


Kathleen Selzler Lippert
Executive Director
Kansas State Board of Healing Arts

Prepared and approved by:



Randy E. Stookey, #21885
Associate General Counsel
Kansas State Board of Healing Arts

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the above and foregoing **Journal Entry of Satisfaction of Final Order**, by depositing the same in the United States mail, postage prepaid, on this 1st day of September, 2011, addressed to:

Mary S. Thompson, O.T.
confidential

Leavenworth, Kansas 66048

and a copy hand delivered to the office of:

Stacy R. Bond, 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

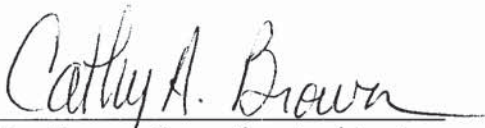
Melissa Massey, Compliance Coordinator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level, Suite A
Topeka, Kansas 66612

and an electronic courtesy copy was sent to:

Office of the General Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, KS 66612
mowens@ksbha.ks.gov

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

FILED *CAB*

AUG 10 2011

KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of)
)
MARY SUSAN THOMPSON, O.T.)
Kansas License No. 17-00486)
_____)

Docket No. 12-HA 00017

SUMMARY ORDER

NOW ON THIS 9th day of Aug, 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. Mary Susan Thompson, O.T. ("Licensee") was originally issued license number 17-00486 to practice as an occupational therapist in the State of Kansas on June 16, 1989. Licensee's license is currently active.
2. Licensee's last known mailing address as provided to the Board at the time of her application for reinstatement is confidential Leavenworth, Kansas 66048.
3. On or about May 11, 2011, the Board received an application from Licensee for reinstatement of her occupational therapy license. Licensee's license was cancelled for failure to renew on May 1, 2011.

Summary Order
Mary S. Thompson, O.T.

4. In her application, Licensee lists all professional activities since the cancellation of her license. Licensee states that she is employed by Key Rehabilitation, Inc., which is located in Murfreesboro, Tennessee and provides therapy services for Medicalodge of Leavenworth, Kansas. Licensee also is employed by Kansas City Kansas Special Education, Kansas City Kansas Schools, which is located in Kansas City, Kansas and provides occupational therapy services to several schools in the area. Licensee stated that there were eight dates in which she practiced as an Occupational Therapist in Kansas while her license was cancelled. The dates and locations are:

a. Licensee practiced at Medicalodge, Leavenworth, Kansas as an Occupational Therapist during the dates of May 3, 2011, May 4, 2011, May 5, 2011, May 6, 2011, May 7, 2011, May 9, 2011, and May 10, 2011.

b. Licensee provided occupation therapy services at various schools in the Kansas City, Kansas area during the dates of May 2, 2011, May 4, 2011, May 6, 2011, May 9, 2011, and May 10, 2011.

5. On June 13, 2011, our office received a letter from the Licensee stating that her failure to renew was an oversight. On May 10, 2011, Licensee was contacted by her employer, Key Rehabilitation's corporate office, informing her that her Kansas license was cancelled. Licensee indicating that this was an oversight and she thought she had renewed her license, and upon further checking realized, she did not have a cancelled check and hand not received her license.

6. Licensee's license was reinstated on May 27, 2011. Licensee practiced in Kansas on May 2, 2011, May 3, 2011, May 4, 2011, May 5, 2011, May 6, 2011, May 7, 2011, May 9, 2011, and May 10, 2011 as an occupational therapist without being properly licensed.

Summary Order
Mary S. Thompson, O.T.

Applicable Law

7. 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:

(2) Being guilty of unprofessional conduct as defined by rules and regulations adopted by the board;

(c) The board, in addition to any other penalty prescribed in subsection (a), may assess a civil fine, after proper notice and an opportunity to be heard, against a licensee for unprofessional conduct in an amount not to exceed \$5000 for the first violation. . . .

8. K.A.R. 100-54-5. Unprofessional conduct; defined. "Unprofessional conduct" means any of the following: (o) committing conduct likely to deceive, defraud, or harm the public.

Conclusions of Law

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

10. The Board finds that Licensee practiced as an occupational therapist without being licensed on May 2, 2011, May 3, 2011, May 4, 2011, May 5, 2011, May 6, 2011, May 7, 2011, May 9, 2011, and May 10, 2011.

11. The Board finds that by practicing as an occupational therapist without being properly licensed, Licensee engaged in conduct that could deceive, defraud or harm the public.

12. That by continuing to engage in the practice of occupational therapy on May 2, 2011, May 3, 2011, May 4, 2011, May 5, 2011, May 6, 2011, May 7, 2011, May 9, 2011, and

Summary Order

Mary S. Thompson, O.T.

May 10, 2011, without being properly licensed, Licensee was in violation of K.S.A. 65-5410(a)(2) and K.A.R. 100-54-5 (o).

13. 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, Mary Susan Thompson, O.T.

IT IS, THEREFORE, ORDERED that Licensee is hereby assessed a civil fine of \$150.00 due and payable within thirty days of the effective date of this Order.

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, Suite A, Topeka, Kansas 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.

Summary Order
Mary S. Thompson, O.T.

Dated this 9th day of Aug, 2011.

Kansas State Board of Healing Arts


Kathleen Selzler Lippert
Executive Director

Summary Order
Mary S. Thompson, O.T.

Certificate of Service

I certify that the foregoing Summary Order was served this 10th day of August, 2011, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Mary Susan Thompson, O.T.
confidential
Leavenworth, Kansas 66048

and a copy was hand-delivered to:


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

Melissa Massey
Compliance Monitor
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Stacy R. Bond
Associate Litigation Counsel
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:

Kathleen Selzler Lippert
Executive Director
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
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Cathy Brown
Executive Assistant

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Kansas State Board of Healing Arts


Kathleen Selzler Lippert
Executive Director

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Certificate of Service

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Kansas State Board of Healing Arts
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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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