

**FILED**

*CAB*

MAY 07 2010

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

**KS State Board of Healing Arts**

In the Matter of )  
 )  
Scott Warman )  
Kansas Student Respiratory Therapist )  
19-00313 )

Docket No. 10-HA00127

JOURNAL ENTRY

**NOW**, on this 17<sup>th</sup> day of May 2010, the above-entitled matter comes on before Kathleen Selzler Lippert, Acting Executive Director of the Kansas State Board of Healing Arts. After reviewing the file and being duly advised in the premises, the Acting Executive Director makes the following determinations.

1. On March 25, 2010, the Executive Director issued a Summary Order of Cancellation of Permit canceling the special permit issued to Scott Warman("Permitee") for failure to provide documented evidence of enrollment in an approved school of respiratory therapy and an anticipated graduation date.

2. 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 become effective as a final order of the Board upon expiration of the time for requesting a hearing

3. No hearing has been requested by any party and the Summary Order became effective on April 19, 2010.

4. **IT IS THEREFORE ORDERED** that the Special Permit of Permitee issued by the Board to practice as a student respiratory therapist in the state of Kansas is cancelled effective date of this order due to failure to documentation of current

enrollment in an approved respiratory school and an anticipated graduation date as provided by K.A.R. 100-55-9.

5. **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 KSA 77-613(e), the Agency Officer to be serviced on behalf of the Kansas State Board of Healing Arts is Kathleen Selzler Lippert, Acting Executive Director, Kansas State Board of Healing Arts, 235 S. Topeka Blvd, Topeka, KS 66603

**DATED** this 7<sup>th</sup> day of May 2010.

**KANSAS STATE BOARD OF HEALING ARTS**

  
Kathleen Selzler Lippert  
Acting Executive Director

**CERTIFICATE OF SERVICE**

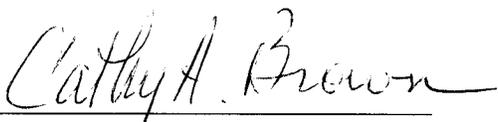
I, do hereby certify that on the 5<sup>th</sup> day of May 2010, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

Scott Warman  
PO BOX 372  
Atwood, KS 67730

and a copy hand delivered to the office of:

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

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

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

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

**FILED** *CPB*  
MAR 25 2010

In the Matter of )  
 )  
Scott Warman )  
Kansas Student Respiratory Therapist )  
19-00313 )

KS State Board of Healing Arts

Docket No. 10-HA00127

**SUMMARY ORDER OF CANCELLATION OF PERMIT**

NOW, on this 24 day of March 2010, this matter comes before Kathleen Selzler Lippert, Acting Executive Director of the 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 orders are made for and on behalf of the Board:

1. On January 13, 2010 the special permit no. 19-00313 was issued to Scott Warman ("Permitee") to practice as a student respiratory therapist in the state of Kansas.
2. K.A.R.100-55-9 requires each Permitee to provide annual verification of current enrollment in an approved school of respiratory therapy and an anticipated graduation date.
3. Failure to provide verification of current enrollment in an approved school of respiratory therapy and anticipated graduation date shall result in cancellation of the current permit, K.A.R. 100-55-9.
4. On February 2, 2010, a letter was mailed to the Permitee requesting that they provide, no later than February 28, 2010, proof of current enrollment in an approved school of respiratory therapy and an anticipated graduation date.
5. On March 5, 2010, the required documents had not been received and a second notice was mailed requesting that the Permitee provide, no later than March 19, 2010, the requested documentation.

6. Permittee has failed to provide documented evidence of current enrollment in an approved school of respiratory therapy and an anticipated graduation date in accordance with Kansas law.

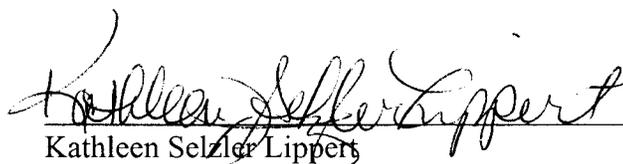
9. The Permittee violated K.S.A. 65-5508(c) as further defined by K.A.R. 100-55-9 by failing to provide documented evidence of current enrollment in an approved school of respiratory therapy and an anticipated graduation date. Permittee has not met the requirements for a RT Student permit.

**IT IS THEREFORE ORDERED** that the Special Permit of Permittee issued by the Board to practice as a student respiratory therapist in the state of Kansas is cancelled effective date of this order due to failure to documentation of current enrollment in an approved respiratory school and an anticipated graduation date as provided by K.A.R. 100-55-9.

**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 hearing must be addressed to Kathleen Selzler Lippert, Acting Executive Director, 235 South Topeka Boulevard, Topeka KS 66603.

**DATED** this 24 day of March, 2009

**KANSAS STATE BOARD OF HEALING ARTS**

  
Kathleen Selzler Lippert  
Acting Executive Director

**CERTIFICATE OF SERVICE**

I, do hereby certify that on the 25<sup>th</sup> 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:

Scott Warman  
PO Box 372  
Atwood, KS 67730

and a copy hand delivered to the office of:

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

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

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