EFFECTIVE AS A FINAL ORDER

DATE: 9/1/15

FILED
AUG 2 9 2015
KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS OF THE STATE OF KANSAS

In the Matter of	)	
BRIAN D. WHITE, LRT	)	
	)	**Docket No. 15-HA00125**
	)	
Kansas License No. 22-03415	)	
	)	

PROPOSED DEFAULT ORDER REVOKING LICENSURE

NOW on this 14th day of August, 2015, comes before the Kansas State Board of Healing Arts ("Board"), the Petition for Discipline against Brian D. White, L.R.T.'s license to practice radiologic technology in the State of Kansas ("Licensee"). Petitioner appears by and through Reese Hays, Litigation Counsel. Licensee fails to appear.

Pursuant to the authority granted to the Board by K.S.A. 65-7301, *et seq*, and in accordance with the provisions of the Kansas Administrative Procedure Act K.S.A. 77-501 *et seq.*, the Board hereby enters this Proposed Default Order Revoking Licensure in the above-captioned matter. Having the agency record before it, and considering the evidence and the statements and arguments of Petitioner, the Board makes the following findings, conclusions and order:

1. Licensee is or has been entitled to engage in the practice of radiologic technology in the State of Kansas, having been issued License No. 22-03415 on or about March 18, 2009, and having last renewed such license on or about August 19, 2014. Licensee's license is currently active.

2. A conference hearing on the Board's petition for discipline was noticed for August 14, 2015 at the offices of the Kansas State Board of Healing Arts.

3. Pursuant to K.S.A. 2014 Supp. 77-531, Licensee was served with a Notice of Conference Hearing ("Notice") to Licensee's last known mailing address via United States Mail, first-class postage prepared on or about July 21, 2015. The Notice was not returned.

4. Pursuant to K.S.A. 77-518, the Notice informed Licensee that any party who fails to attend or participate in the Conference Hearing or other state of a proceeding may be held in default.

5. Licensee failed to appear at the Conference Hearing held on August 14, 2015.

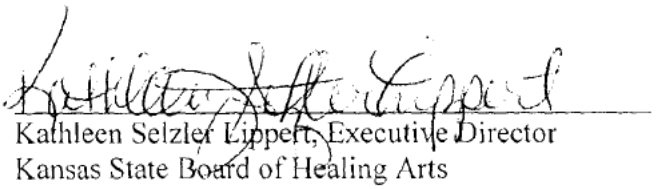
6. Pursuant to K.S.A. 77-518 and K.S.A. 2014 Supp. 77-520, Licensee is in default for his failure to appear at the conference hearing on August 14, 2015.

7. Upon review of the agency record and after being fully advised in the premises, the Board finds and concludes that the facts and allegations set forth in the Petition are undisputed and incorporated herein by reference.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee is hereby held in DEFAULT pursuant to K.S.A. 2014 Supp. 77-520.

IT IS FURTHER ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee's license to practice radiologic technology in the State of Kansas is hereby **REVOKED.**

IT IS SO ORDERED THIS 20 DAY OF AUGUST, 2015, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts

FINAL ORDER 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, Executive Director, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing **FINAL ORDER REVOKING LICENSURE** was served this 1st day of September, 2015 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Brian D. White, LRT
Confidential

Lecompton, KS 66050

Brian D. White, LRT
Confidential

Texarkana, TX 75501

And a copy was hand-delivered to:

Reese Hays, 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

Kelli Stevens, General 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.

Cathy A. Brown

Cathy Brown, Executive Assistant