

B. Wright  
FILED

APR 10 2007

BEFORE THE KANSAS DENTAL BOARD

KANSAS DENTAL BOARD

In the Matter Of )  
 )  
KELLEY A. SHEPARD, R.D.H. )  
License No. 1608 )  
\_\_\_\_\_ )

Case No.: 06-1852-1608  
OAH No.: 07DB0003

INITIAL ORDER

Pursuant to K.S.A. 77-516(c)(8) and K.S.A. 77-520, Kelley A. Shepard, RDH ("Respondent"), is in default for failure to attend and participate in the Prehearing Conference held on the 27<sup>th</sup> day of March, 2007, beginning at 3:00 p.m. at the Office of Administrative Hearings, 1020 S. Kansas Avenue, Topeka, Kansas 66612. Due to the Respondent's default, the Office of Administrative Hearings enters the following Initial Order, which is based on the Petition to Revoke, Suspend, or Otherwise Discipline Licensure, as set forth more fully below.

**I. FINDINGS OF FACT**

1. The Kansas Dental Board ("Board") previously issued Respondent License Number 1608, which entitled her to practice dental hygiene in the State of Kansas ("License").

2. In or around May 2005, [REDACTED]

3. On or about May 26, 2005, [REDACTED]

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[REDACTED]

4. On or about August 30, 2005, [REDACTED]

[REDACTED]

5. On or about November 17, 2005, [REDACTED]

[REDACTED]

6. On or about December 29, 2005, [REDACTED]

[REDACTED]

7. [REDACTED]

[REDACTED]

8. Notwithstanding Notice of the Prehearing Conference in this matter, the Respondent did not submit a Prehearing Questionnaire.

9. Notwithstanding Notice of the Prehearing Conference in this matter, the Respondent did not attend the Prehearing Conference.

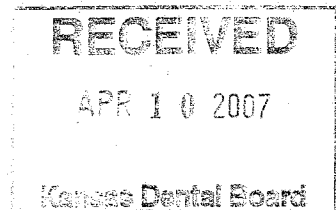
**II. CONCLUSIONS OF LAW AND FACT**

10. In or around May 2005, [REDACTED]

[REDACTED]

11. [REDACTED]

[REDACTED]



[REDACTED]

12. The Respondent violated the Kansas Dental Law as specified in Count I of the Petition to Revoke, Suspend or Otherwise Discipline Licensure. As a result, the Respondent's License to practice dental hygiene may be disciplined pursuant to K.S.A. 65-1436(b) [REDACTED]

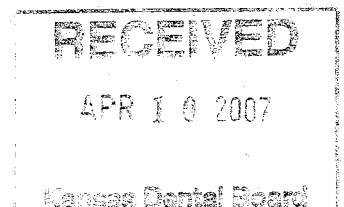
13. The Respondent violated the Kansas Dental Law as specified in Count II of the Petition to Revoke, Suspend or Otherwise Discipline Licensure. As a result, the Respondent's License to practice dental hygiene may be disciplined pursuant to K.S.A. 65-1436(b) and K.S.A. 65-1436(a)(3), as further defined by K.S.A. 65-1436(c)(3), in that she has engaged in a pattern of dental hygiene practice or other behavior which demonstrates a manifest incapacity or incompetence to practice.

#### **ORDER**

14. Based upon the Respondent's default for failure to attend and participate in the Prehearing Conference held on March 27, 2007, and the foregoing findings and conclusions, the Respondent's License to practice dental hygiene in the State of Kansas (Kansas License Number 1608) is hereby revoked until further order of the Board.

#### **APPEAL RIGHTS AND OTHER ADMINISTRATIVE RELIEF**

Pursuant to K.S.A. 77-527, either party may request a review of this initial order by filing a petition for review with the Kansas Dental Board. A petition for review must be filed within 15 days from the date this initial order was served. Failure to timely request a review by the Kansas Dental Board may preclude further judicial review. The petition for review shall be mailed or personally delivered to: Kansas Dental Board, Attn: Betty Wright, Executive Director, 900 SW Jackson, Room 564-S, Topeka, Kansas 66612.

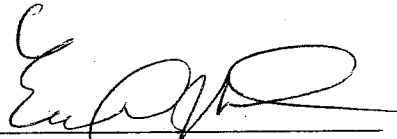


If neither party requests a review by the Kansas Dental Board, then pursuant to K.S.A. 77-530, this initial order becomes final and binding on both parties on the 30<sup>th</sup> day following its service.

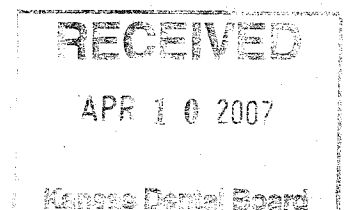
Pursuant to K.S.A. 77-528, if a stay of the initial order is desired after a petition for review has been filed, a petition to stay the effectiveness of the initial order must be filed with the presiding officer prior to the expiration of the time to file a petition for judicial review.

Pursuant to K.S.A. 77-531, if the initial order is served by mail, three days are added to the time limits set out above.

**IT IS SO ORDERED.**



Edward J. Gaschler  
Presiding Officer  
Office of Administrative Hearings



CERTIFICATE OF SERVICE

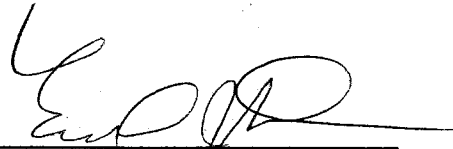
I hereby certify that I filed this original Initial Order by depositing in the United States mail, postage prepaid, on this 10 day of April, 2007, addressed to:

Kelley A. Shepard, RDH  
6718 W. 141<sup>st</sup> Terrace, #3310  
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Betty Wright  
Executive Director  
Kansas Dental Board  
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Edward J. Gaschler  
Presiding Officer  
Office of Administrative Hearings

