

FILED

SEP 2 2010

KANSAS DENTAL BOARD

BEFORE THE KANSAS DENTAL BOARD

In The Matter Of)
)
KELLEY A. SHEPARD, R.D.H.)
License No. 1608)
_____)

File No. 06-1852-1608

FINAL AGENCY ORDER

Kelley A. Shepard (“Shepard”) submitted an application to the Kansas Dental Board (the “Board”) for reinstatement of her license to practice dental hygiene in the State of Kansas. The application was received by the Board on March 31, 2010. On June 9, 2010, a Summary Order of Denial was entered denying the application. Shepard timely filed a request for a hearing. A hearing was held before the Board on August 20, 2010. After considering the evidence submitted at the hearing, the Board enters the following final agency order.

I. FINDINGS OF FACT

1. On April 10, 2007, in a prior proceeding, an Initial Order was entered by Presiding Officer Edward J. Gashler revoking Shepard’s license to practice dental hygiene in the State of Kansas. Among the findings in the Initial Order were that [REDACTED]

[REDACTED]

[REDACTED] No request for review was made and that Initial Order became a final order.

2. At the August 20, 2010 hearing, Shepard testified [REDACTED]
[REDACTED]

3. Numerous individuals wrote letters in support of Shepard's application for reinstatement. Those letters were admitted into evidence at the hearing and are a part of the record.

4. Shepard expressed a willingness to [REDACTED]

5. Shepard has continued to obtain continuing dental hygiene education since her license was revoked.


II. CONCLUSIONS OF LAW AND FACT

Based upon the evidence and the foregoing findings of fact, the Board finds that sufficient proof [REDACTED] was established to reinstate Shepard's license to practice dental hygiene in the State of Kansas subject to certain conditions and limitations.

III. ORDER

Shepard's license to practice dental hygiene in the State of Kansas is reinstated subject to the following conditions and limitations:

1. Before practicing dental hygiene in the State of Kansas, Shepard [REDACTED]



2. Until further order of the Board, Shepard shall practice dental hygiene in the State of Kansas only under the direct supervision of a licensed dentist, as direct supervision is defined at K.S.A. 65-1456(d).

3. Before practicing dental hygiene in the State of Kansas, Shepard shall pass a refresher course approved by the Board.

IV. NOTICES

Shepard is hereby notified as follows:

1. Within fifteen (15) days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

2. Within the time limits established in K.S.A. 77-613, either party may seek judicial review of a final agency order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

Betty Wright
Executive Director
Kansas Dental Board
900 S.W. Jackson Street, Room 564-S
Topeka, KS 66612

IT IS SO ORDERED.

Aug. 31, 2010
Date

Denise L. Maus, RDH
DENISE MAUS, R.D.H.
President
Kansas Dental Board


CERTIFICATE OF SERVICE

I hereby certify that I did, on the 3rd day of September, 2010, deposit in the United States mail, postage prepaid, certified return receipt requested, a copy of the foregoing FINAL AGENCY ORDER, properly addressed to the following:

Kelley Ann Shepard, R.D.H.
6443 W, 150th Street
Overland Park, Kansas 66223

Jennifer E. Bazin
107 SW 6th Street, Suite 210
Topeka, KS 66603

Randall J. Forbes
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555 S. Kansas Ave, Suite 303
Topeka, KS 66603



Betty Wright
Executive Director
Kansas Dental Board