

EFFECTIVE AS A FINAL ORDER

DATE: 9/10/2024

FILED
SEP 09 2024

**BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS**

KS State Board of Healing Arts

In the Matter of)	
)	
)	Docket 24-HA00044
Luke I. Sparks, LRT)	
Application for Licensure)	
_____)	

PROPOSED DEFAULT ORDER

On August 9th, 2024, this matter came before the Kansas Board of Healing Arts (“Board”) upon due and proper notice for Conference Hearing on an application for a license to practice as a radiologic technologist (“LRT”) in Kansas. Matthew Gaus, Deputy Litigation Counsel and Todd Hiatt, Litigation Counsel, appeared on behalf of Disciplinary Panel #39 (“DP#39”). Luke I. Sparks, LRT (“Applicant”), did not appear and has no attorney of record in this matter.

Pursuant to the authority granted to the Board by K.S.A. 65-7301 *et seq.* and 65-2801 *et seq.* and in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.*, the Board enters this Proposed Default Order in the above-captioned matter.

Upon review of the entire agency record, and being fully advised in the premises, the Board finds Applicant in **DEFAULT** for his failure to appear at the August 9, 2024, Conference Hearing.

I. Summary

Applicant applied for a Kansas LRT license on March 11, 2024. Applicant disclosed on his application a 2021 arrest for driving while intoxicated. **CONFIDENTIAL**

Proposed Default Order
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KSBHA Docket No. 24-HA00044

II. Statement of Facts

1. On or about March 11, 2024, Applicant submitted an original application for a Kansas LRT license. Such application was deemed complete and filed with the Board on or about June 7, 2024. (See Agency Record - Application for Licensure, pp. 1 and 3).

2. Applicant's most recent mailing address as provided to the Board is: ^{CONFIDENTIAL}

^{CONFIDENTIAL} . Applicant's most recent email address as provided to the Board ^{CONFIDENTIAL} (Id. at p. 3).

3. In his original application for licensure, Applicant disclosed he was arrested in Springfield, Missouri, on May 15, 2021, for "DUI" ^{CONFIDENTIAL}

5 ^{CONFIDENTIAL}

6. On or about July 10, 2024, DP#39 filed a Response in Opposition to Application for License to Practice as a Radiologic Technologist ("Response) requesting the Board deny Applicant's application for a Kansas LRT license ^{CONFIDENTIAL}

7. On or about July 19, 2024, and July 30, 2024, the Board served Applicant, at his last known mailing address, with a Notice of Conference Hearing and Scheduling Notice via United States Mail and email. The Notice of Conference Hearing scheduled the hearing for August 9, 2024, and stated “any party who fails to attend or participate in the Conference Hearing or other stage of a proceeding may be held in default under the Kansas Administrative Procedure Act. See K.S.A. 77-520.”

8. Applicant failed to appear at the August 9, 2024, Conference Hearing and the agency record contains no evidence that the Applicant denies or disputes that he failed to comply with DP#39’s directive **CONFIDENTIAL**

III. Evidence submitted prior to hearing:

DP#39 submitted evidence prior to hearing as follows:

- Applicant’s 2024 LRT Application.
- Response Exhibit 1 - April 12, 2024, Board letter to Applicant **CONFIDENTIAL**.
- Response Exhibit 2 - May 13, 2024, **CONFIDENTIAL** letter to Board closing Applicant’s file.

IV. Conclusions of Law

Pursuant to K.S.A. 77-520, Applicant is in default for failure to appear at the August 9, 2024, Conference Hearing for the Board to consider whether to grant his application for a Kansas LRT license.

K.S.A. 65-7313(a)(8) provides an application for LRT licensure may be denied if the applicant has been found guilty of unprofessional conduct under criteria which the board may establish by rules and regulations.

K.A.R. 100-73-6(c) defines unprofessional conduct as “failing to furnish to the board, or to its investigators or representatives, any information legally requested by the board.”

Applicant violated K.S.A. 65-7313(a)(8) and K.A.R. 100-73-6(c) by his failure to complete **CONFIDENTIAL** requested by DP#39.

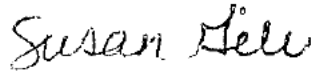
Under the provisions of K.S.A. 65-7313, Applicant’s application for a Kansas LRT license is denied based on the above violation.

IT IS THEREFORE ORDERED that Applicant is hereby held in **DEFAULT** pursuant to K.S.A. 77-520.

IT IS FURTHER ORDERED that Applicant’s application for a Kansas LRT license is **DENIED** **CONFIDENTIAL**

IT IS SO ORDERED this 9th day of September 2024.

KANSAS STATE BOARD OF HEALING ARTS



Susan Gile
Executive Director

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 Susan Gile, 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 I served a true and correct copy of the above and foregoing **FINAL ORDER** by depositing the same in the United States Mail, postage prepaid, on this 20th day of September 2024, addressed and emailed to:

Luke Sparks, LRT
CONFIDENTIAL

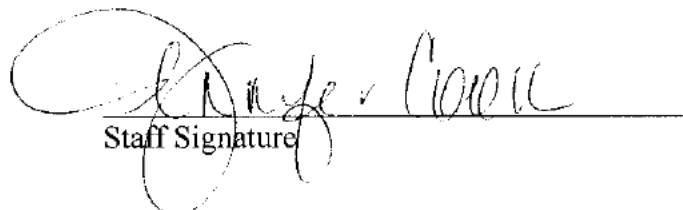
And a copy was hand-delivered to:

Matthew Gaus, Deputy Litigation Counsel
Todd Hiatt, Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
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Topeka, Kansas 66612

Office of the 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.


Staff Signature