

Kansas Administrative Regulations

Board of Examiners in Optometry

Article 4.—General Provisions

65-4-2. Hearings before the board.

(a) All hearings and procedures of the board shall be conducted in accordance with the Kansas administrative procedures act, K.S.A. 77-501 et seq.

(b) Summary adjudicative proceedings may be used for:

(1) a denial of initial licensure;

(2) a cease and desist order, informal admonishment, warning, reprimand, restriction, or limitation;

(3) a cancellation of a license for failure to meet the requirements for license renewal; and

(4) an approval of a trade or assumed name, a declaration that approval to practice under a trade or assumed name has lapsed, or approval of transfer of a trade or assumed name.

(c) Any person subject to a summary adjudicative action may request that the summary proceeding be converted to a conference or formal adjudicative proceeding.

(d) Each order listed in (b) shall contain a notice informing any person subject to the order that a request for review or conversion may be made within 15 days.

(e) Conference adjudicative proceedings may be used for actions in which:

(1) there is no disputed issue of material fact; or

(2) the parties agree to a conference adjudicative proceeding.

(f) All proceedings shall be formal adjudicative proceedings except emergency adjudicative proceedings or proceedings which have been initiated as or converted to conference or summary adjudicative proceedings.

(Authorized by K.S.A. 74-1504(a)(6); implementing K.S.A. 74-1504; effective May 18, 1992.)