

**STATE OF KANSAS
DEPARTMENT OF HEALTH AND ENVIRONMENT**

In the Matter of Licensure of
Little Engine Day Care
610 E. Avenue A
Cimarron, Kansas 67835

Case No. 16-H-121

A Day Care Home Operated by
Megan Schartz

Day Care License No. 74350

EMERGENCY ORDER OF SUSPENSION

NOW on this 26th day of September, 2016, Susan Mosier, MD, Secretary of the Kansas Department of Health and Environment [Secretary], reviews the file on the day care home operated by Megan Schartz [Licensee].

WHEREUPON, the Secretary finds that:

1. The Kansas Department of Health and Environment [KDHE] issued to Licensee, pursuant to K.S.A. 65-501 *et seq.*, a license to operate a day care home, effective January 12, 2016.
2. On or about September 24, 2016, Licensee was arrested for Possession of Methamphetamine, Possession of Drug Paraphernalia and Endangering a Child. The Gray County Sheriff's Department reported that drugs were found in the day care home which were also accessible to children.
3. K.S.A. 65-524 authorizes the Secretary to suspend a license to operate a day care home prior to a hearing when, in the opinion of the Secretary, said suspension is necessary to protect any child in the home from physical or mental abuse, abandonment, or any other substantial threat to health or safety.

4. Due to the facts contained in paragraph 2 above, the Secretary has determined that immediate suspension of Licensee's license to operate a day care home is necessary to protect children in Licensee's care from a substantial threat to their health or safety.

WHEREUPON, the Secretary hereby suspends Licensee's license to operate a day care home, effective immediately, thereby prohibiting Licensee from caring for children. This Emergency Order of Suspension remains in effect until the issuance of an order rescinding this order.

RIGHT TO A HEARING

This Emergency Order of Suspension is issued pursuant to K.S.A. 77-536 of the Kansas Administrative Procedure Act.

Permittee may file a Petition for Judicial Review pursuant to K.S.A. 77-610. A Petition for Judicial Review shall be filed within 30 days after service of the Emergency Order of Suspension or 30 days after an Order Denying a Request for Reconsideration. Service of the Petition for Judicial Review shall be served on Katelyn Radloff, Attorney, Kansas Department of Health and Environment, Curtis State Office Bldg., Ste. 560, 1000 SW Jackson, Topeka, Kansas 66612.

IT IS SO ORDERED.



Susan Mosier, MD, Secretary
Kansas Department of Health and Environment

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of September, 2016, a true and correct copy of the above and foregoing Emergency Order of Suspension was deposited in the U.S. Postal Service, first-class, postage prepaid, addressed to:

Megan Schartz
610 E. Avenue A
Cimarron, Kansas 67835

Brenda Sloop
Staff Member

And on the ____ day of _____, 2016, a facsimile copy of the above and foregoing Emergency Order of Suspension was hand-delivered to:

Megan Schartz
610 E. Avenue A
Cimarron, Kansas 67835

By _____