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STATE BOARD OF HEALING ARTS

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Board of Healing Arts December Meeting Actions

The Kansas State Board of Healing Arts held its regularly scheduled meeting on Friday, the 4th of December and took several actions.

The Board reviewed the case of Dr. Douglas Geenens, D.O. The Board was represented by outside counsel, Jeff Heinrichs. Dr. Geenens was represented by Karen Virgillito. The Board previously referred this matter to the Office of Administrative Hearings for an evidentiary hearing on the merits of the allegations against Dr. Geenens' license. Following a full hearing at which witnesses testified and documentary evidence was admitted, the Office of Administrative Hearings' administrative law judge issued an Initial Order. This Order stated that Dr. Geenens had met his requirements as listed in the Consent Order of 2004. In addition, the Presiding Officer noted that the new allegations were activities that mostly occurred prior to 2001. The Presiding Officer's recommendation was to impose penalties of a public censure and assess the costs of the proceedings to Dr. Geenens. The report and recommendations contained in the Initial Order were reviewed and accepted by the Board. The Board made note of a number of anomalies in this case. As the Initial Order indicated, the 2001 allegations stemmed from Dr. Geenens' conduct prior to the Consent Order of 2004, but were similar in nature to the complaints addressed in the 2004 Order. Secondly, the Board addressed the details surrounding the allegations regarding intimacies with two patients. One patient is now Dr. Geenens' wife. This matter was dealt with by the Board in Dr. Geenens' 2004 Consent Order. The other patient, who was the subject of the present matter, is a long-time friend of Dr. Geenens. Both the patient and Dr. Geenens state that although the two shared a bed, they did not engage in any type of intimate relations. After fully reviewing the evidence and hearing the parties' arguments, extensive discussion, and deliberation, the Board added additional penalties to the Presiding Officer's Initial Order. The additional penalties include a \$5,000 fine and expanded the monitoring of Dr. Geenens' practice for an additional 3 years. The monitoring will have a focus on prescription writing and record-keeping. There will be a quarterly report made to the Board from the monitor regarding the findings of these reviews. Monitoring will not be self-terminating. Dr. Geenens will be responsible for all costs involved for these proceedings as well as his continued monitoring.

The Board reviewed the request to lift the suspension of Jeffrey Sroufe, RT's license. Request was granted, but he will be subject to close monitoring.

The Board reviewed the request for waiver or licensure by endorsement for Ashok K. Reddy Chada, M.D. After substantial discussion, the Board has placed the license application on hold until the applicant is able to prove he has passed a clinical skills test, or that he has taken and passed all components of the USMLE.

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The Board heard the request for licensure by endorsement for Bernarda Strauss, M.D. The Board granted her request for licensure.

The Board considered the request for waiver of the “10-year examination rule” for licensure by Sahibu Sultan M. Habeebu, M.D. The Board granted licensure.

The Board heard the request by Daniel Coulter, M.D. for a fourth attempt to take the USMLE Step 3 exam. The Board granted the request.

The Board considered the request by Martha Sandifer, L.R.T., to waive the proof of education for licensure. Ms. Sandifer’s records are no longer available from the institution in which she was licensed. She presented documentation from the American Registry of Radiological Technicians to show she had passed her exam. In addition, she provided a letter from one of her instructors verifying her attendance. The Board granted the request.

The Board heard the request of Amber Sponaugle, OTA regarding her application for licensure. This matter was tabled until the February Board meeting.

The Board considered the request by Don Ross Fishman, M.D. to convert his conference hearing on his application for licensure to a formal hearing. This request was granted.

The Board granted continuances for both Christie M. Mensch, M.D. and Ram S. Makker, M.D. on disciplinary petitions against their licenses.

The Board reviewed the initial order concerning the license of Dana Gifford, P.T.A. The suspension of Ms. Gifford’s license was lifted, but she will be subject to close monitoring.

The Board considered the matter of Bradley Eck, D.C., which involved a petition alleging violations of a prior Consent Order. Discussion was held regarding the Board’s ability to enforce the monetary terms of the February 2009 Consent Order since Licensee had filed for bankruptcy. It was determined that it is not within the Board’s scope of authority to enforce the monetary terms due to the bankruptcy court’s superseding jurisdiction. Therefore, the Board ruled that the Licensee must comply immediately with all terms (except monetary) of his existing Consent Order. In addition, his license will be suspended for 30 days which will begin when the Licensee is served with the Board’s Final Order; and he must complete a record-keeping course prior to the suspension being lifted.

The Board reviewed the Initial Order in a disciplinary action concerning Robert F. Rusnak, D.C. Currently, his license is temporarily suspended in another pending matter. The Board accepted the Initial Order of a public censure, and Licensee will be responsible for all statutorily authorized costs related to the investigation and litigation of this matter.

The Board approved the Consent Orders for the surrender of licensure by David L. Short, P.A. and Robert T. Ward, R.T.

Board actions are available on our website at www.ksbha.org.