

EFFECTIVE AS A FINAL ORDER

DATE: 2/15/2023

FILED

JAN 27 2023

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

KS State Board of Healing Arts

In the Matter of

Kimberley R. Yoo, D.C.
Kansas License No. 01-05265

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KSBHA Docket No. 23-HA 00018

SUMMARY ORDER

NOW ON THIS 27th day of January, 2023, this matter comes before Susan Gile, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings under K.S.A. 77-537.

Under K.S.A 77-537 and K.S.A. 77-542, this Summary Order shall become effective as a Final Order, without further notice, if no written request for a hearing is made within 15 days of service. Upon review of the agency record and being duly advised in the premises, the following findings of fact, conclusions of law, and order are made for and on behalf of the Board:

Findings of Fact

1. Kimberley R. Yoo, D.C. ("Licensee") is or has been entitled to engage in the practice of chiropractic in Kansas, having been issued License No. 01-05265 on June 12, 2009, and having last renewed such license on or about January 31, 2022. Licensee's license to practice chiropractic in Kansas is currently Inactive.

2. Licensee's last mailing address known to the Board is: **CONFIDENTIAL**
CONFIDENTIAL. Licensee's last known e-mail address known to the Board is:
CONFIDENTIAL.

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4. **CONFIDENTIAL**, Licensee agreed to the following requirements:

- a. To attend and successfully complete the PROBE: Ethics and Boundaries programs hosted by the Center for Personalized Education for Physicians (“CPEP”) or a substantially similar program approved by the Board **CONFIDENTIAL**

CONFIDENTIAL no later than **November 3, 2022. (Id.)**

5. Licensee was reminded of her requirement to complete the PROBE course (or other substantially similar program) via communications from the Board’s Compliance Coordinator on April 11, 2022, and on June 21, 2022. (Bd. Ex. 2 – Compliance Coordinator’s email communications with Licensee).

6. On November 8, 2022, Licensee was sent a letter stating she had not completed the required PROBE course (or other substantially similar program) by November 3, 2022, and was given until November 22, 2022, to provide proof of completion of this requirement. (Bd. Ex. 3 – Letter to Licensee dated November 8, 2022).

7. On November 8, 2022, Licensee sent an email to the Board in response to the November 8, 2022, letter stating she was not intending to complete the PROBE course requirement as it was “too expensive”. (Bd. Ex. 4 – Email from Licensee dated November 8, 2022).

8. Licensee did not provide proof of completion of the required PROBE course (or other substantially similar program) by November 22, 2022.

9. Licensee has not completed the required PROBE course (or other substantially similar program) to date.

Applicable Law

10. Under K.S.A. 65-2836(k), a licensee's license may be revoked, suspended, or limited, or the licensee may be publicly censured or placed under probationary conditions where the licensee "has violated any lawful rule and regulation promulgated by the board or violated any lawful order or directive of the board previously entered by the board."

Conclusions of Law

11. The Board has jurisdiction over Licensee as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

12. The Board finds Licensee violated K.S.A. 65-2836(k), in that Licensee violated a lawful directive of the Board by failing to complete the PROBE: Ethics and Boundaries programs hosted by the Center for Personalized Education for Physicians ("CPEP") or a substantially similar program approved by the Board, **CONFIDENTIAL**

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13. Based on the facts and circumstances set forth herein, the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings does not violate any provision of law and the protection of the public interest does not require the Board to give notice and opportunity to participate to non-parties.

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IT IS HEREBY ORDERED that Licensee's license to practice chiropractic in Kansas is **INDEFINITELY SUSPENDED** from the date this Order becomes effective as a Final Order.

IT IS FURTHER ORDERED that the suspension of Licensee's license to practice chiropractic in Kansas shall not be lifted until she complies with the Board's directive to provide proof of attendance and successful completion of the PROBE: Ethics and Boundaries programs hosted by the Center for Personalized Education for Physicians ("CPEP") or a substantially similar program approved by the Board.

PLEASE TAKE NOTICE that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

Dated this 27th day of January, 2023.

**KANSAS STATE BOARD
OF HEALING ARTS**

Susan Gile

Susan Gile
Executive Director

Kimberley R. Yoo, D.C.
License No. 01-05265
Summary Order

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 15th day of February 2023, addressed and emailed to:

Kimberley R. Yoo, D.C.
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Licensee

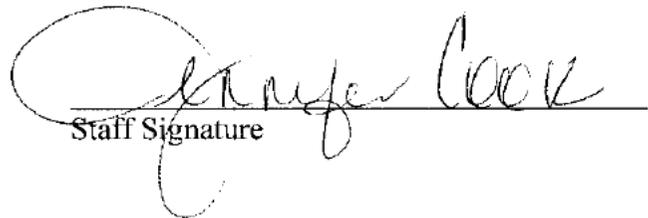
And a copy was hand-delivered to:

Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
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

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EXHIBIT 2

Compliance Coordinator
Communications

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EXHIBIT 3

Letter to Licensee
Dated November 8, 2022

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EXHIBIT 4

Email from Licensee
dated November 8, 2022

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