

BEFORE THE KANSAS STATE BOARD OF HEALING ARTS

In the Matter of the)
Application For Endorsement)
For License To Practice Medicine)
and Surgery of)
)
)
)
MAX C. ABELLANA, M.D.)
_____)

FILED

DEC 13 1990

**KANSAS STATE BOARD OF
HEALING ARTS**

ORDER OF SUMMARY PROCEEDINGS
DENYING APPLICATION FOR LICENSE

NOW, on this 7th day of December, 1990, comes on for hearing by summary proceedings the Application For Endorsement License to Practice Medicine and Surgery in the State of Kansas filed by Max C. Abellana, M.D. (hereinafter "Applicant"). Members of the Kansas State Board of Healing Arts (hereinafter "Board") present and participating are: Franklin G. Bichlmeier, M.D., President; Donald B. Bletz, M.D.; Jimmy V. Buller, D.O.; Edward J. Fitzgerald, M.D.; Representative Harold Guldner; P. Tom Greene, Jr., D.C.; Mark J. Hatesohl, D.C.; Cameron D. Knackstedt, D.O.; Graciela Marion; Joseph Philipp, M.D.; Kenneth D. Wedel, M.D.; John P. White, D.O., Vice-President; and Ronald J. Zoeller, D.C.

Lawrence T. Buening, Jr., General Counsel, appeared for and on behalf of the Board. There are no other appearances.

After hearing the statements of the Board's General Counsel, reviewing the application and accompanying documents and being

otherwise duly advised in the premises, the Board, sitting at a regular meeting and serving as Presiding Officer in summary proceedings pursuant to K.S.A. 77-511 and 77-537, makes the following findings of fact, conclusions of law and order:

1. On October 29, 1990, Applicant filed with the Board an Application For Endorsement to obtain a license to practice medicine and surgery in the State of Kansas.

2. The Board is the sole and exclusive state agency responsible for the issuance of licenses to practice medicine and surgery.

3. Notice of this hearing has been given as required by law and proof thereof has been duly filed herein.

4. Applicant is a medical school graduate of the Manila Central University.

5. Applicant was granted a license to practice medicine and surgery in the Republic of the Philippines on February 6, 1957.

6. Applicant does not meet the qualifications to be granted a license by endorsement based upon his Philippines medical license in that he has failed to comply with the provisions of K.S.A. 1989 Supp. 65-2833 in the following respects:

(a) Applicant has failed to provide proof satisfactory to the Board that the Republic of the Philippines maintains standards at least equal to those maintained by Kansas as required by (a).

(b) Applicant has failed to provide proof satisfactory to the Board that Applicant's license to practice medicine and surgery in the Republic of the Philippines was based upon an examination at

least equal in quality to the examination required in this state and that the passing grade required to obtain such original license was comparable to that required in this state as required by (b).

(c) The Licenses held by Applicant in the States of West Virginia and Georgia have not been full and unrestricted licenses and are not entitled to be recognized to satisfy the requirements for endorsement.

7. Applicant does not meet the requirements of K.A.R. 100-8-1(b)(2) in that he has not provided credible evidence demonstrating the standards of the national examination required by the Republic of the Philippines prior to licensure.

8. In addition to the above and foregoing reasons, the Application submitted by Applicant is incomplete in that it fails to meet the following requirements of the Board:

(a) Section III and Section X of the Application have not been completed and the Application does not meet the requirements of K.A.R. 100-8-2(e) regarding a certified statement in detail of professional education.

(b) The Application does not contain a certified document of proficiency in the basic science subjects as required by K.A.R. 100-8-2(i).

(c) The Application and supporting documents does not contain notarized copies of successful completion of post-graduate training programs as required by the policies of the Board.

IT IS THEREFORE BY THE BOARD ORDERED as follows:

(A) Applicants Application For Endorsement for a license to practice medicine and surgery in the State of Kansas, received in the Board office on October 29, 1990, should be denied for the reason that Applicant has failed to meet the qualifications as specified in K.S.A. 65-2833, K.A.R. 100-8-1 and K.A.R. 100-8-2.

(B) Applicant, pursuant to K.S.A. 77-511 and 77-537, is entitled to request a hearing before the Board or Presiding Officer appointed by the Board on his Application For Endorsement.

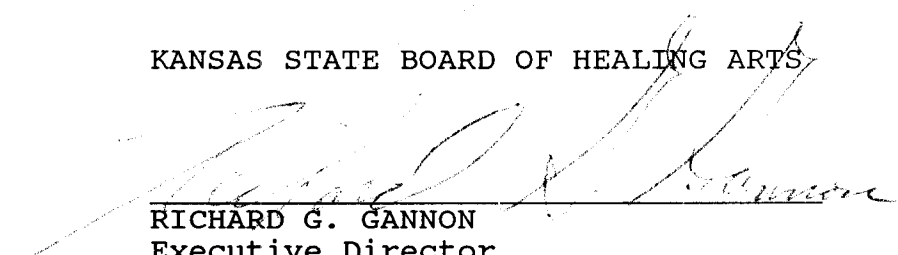
(C) A request by Applicant for a hearing must be made in writing to the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, Kansas 66603 within 15 days after service of this Order on Applicant.

(D) This Order will become effective if a hearing is not requested as above stated upon the expiration of time for requesting such a hearing.

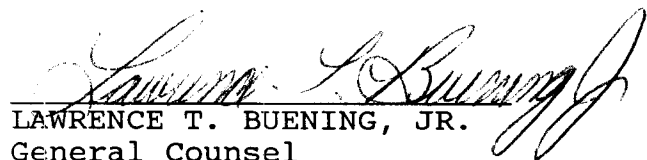
IT IS SO ORDERED.

DATED this 3rd day of Dec., 1990.

KANSAS STATE BOARD OF HEALING ARTS


RICHARD G. GANNON
Executive Director

Prepared and approved by:


LAWRENCE T. BUENING, JR.
General Counsel
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603
(913) 296-7413

CERTIFICATE OF SERVICE

I, Lawrence T. Buening, Jr., hereby certify that on the 11th day of December, 1970, a true and correct copy of the above and foregoing ORDER OF SUMMARY PROCEEDINGS DENYING APPLICATION FOR LICENSE was deposited in the United States mail, postage prepaid, to the following:

Max C. Abellana, M.D.
504 Sumter St.
Medical Bldg., Suite C
Montezuma, GA 31063


LAWRENCE T. BUENING, JR.