

FILED  
JUL 18 2012  
KS State Board of Healing Arts  
CAB

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

In the Matter of )  
MARK L. ALLEN, M.D. )  
 )  
Kansas License No. 04-20229 )  
 )  
\_\_\_\_\_ )

KSBHA Docket No. 11-HA00053

**FINAL ORDER TERMINATING SUSPENSION  
AND RESTORING INACTIVE LICENSE**

NOW, on this 22<sup>nd</sup> day of June, 2012, comes before the Kansas State Board of Healing Arts ("Board") the motion of Mark L. Allen, M.D. ("Licensee") for termination of the suspension of his license and to restore his license to practice medicine and surgery in the State of Kansas to an inactive license designation. Licensee appears in person and *pro se*. Joshana L. Offenbach, Associate Disciplinary Counsel, appears on behalf of the Board.

Pursuant to the authority granted to the Board by the Kansas Healing Arts Act, K.S.A. 65-2801, *et seq.*, and in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board hereby enters this Final Order following a conference hearing in the above-captioned matter. After reviewing the file, hearing the testimony and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. Licensee was licensed to engage in the practice of medicine and surgery in the State of Kansas, having been issued License No. 04-20229 on approximately December 9, 1983.
2. On or about May 12, 2010, Licensee entered into a Consent Agreement with the State Medical Board of Ohio for multiple violations, including violation of a previous Ohio Board Order. Other violations included

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and ethical violations by

engaging in a sexual relationship with a current patient. The Consent Agreement suspended Licensee's Ohio medical license.

3. On or about December 30, 2010, a Summary Order was issued against Licensee's Kansas license based on action taken against Licensee by the State Medical Board of Ohio.

4. On or about February 28, 2011, the Board issued a Final Order affirming that the Summary Order became effective as Final Order on January 17, 2011, upon the expiration of time for Licensee to submit a written request for a hearing.

5. The Summary Order contained a provision indefinitely suspending Licensee's license and a provision which publicly censured his license for violations of the Kansas Healing Arts Act.

6. On or about November 4, 2011, Licensee and the Ohio Medical Board entered into a Consent Agreement for reinstatement of Licensee's certificate, which included specific probationary terms.

7. On or about March 29, 2012, Licensee filed a motion with the Kansas State Board of Healing Arts seeking termination of the suspension on his license to practice medicine and surgery in the State of Kansas and restoration of his license to an inactive designation.

8. The Board finds that Licensee has demonstrated satisfactory compliance with his probationary terms on his Ohio medical license to warrant termination of the suspension on his Kansas license and restore such license to an inactive status.

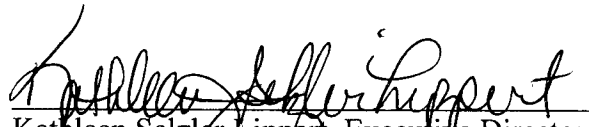
9. The Board concludes that due to the nature of Licensee's previous violations of the Healing Arts Act and because Licensee's rehabilitation is still in progress, it will be necessary to consider possible restrictions and/or monitoring provisions on Licensee's license should he request a change in license designation to an active status in the future.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** that the suspension of Licensee's license is hereby terminated.

**IT IS FURTHER ORDERED** that Licensee's license to practice medicine and surgery in the State of Kansas is hereby restored to an inactive designation.

**IT IS FURTHER ORDERED** that the Board shall maintain jurisdiction over this matter to issue future order(s) deemed necessary and appropriate in the circumstances.

**IT IS SO ORDERED THIS 18<sup>th</sup> DAY OF JULY, 2012, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**

  
Kathleen Selzler Lippert, Executive Director  
Kansas State Board of Healing Arts

**NOTICE OF RIGHTS**

**PLEASE TAKE NOTICE** that this is a Final Order. A Final Order is effective upon service, and service of a Final Order is complete upon mailing. Pursuant to K.S.A. 77-529, Licensee may petition the Board for Reconsideration of a Final Order within fifteen (15) days following service of the final order. Additionally, 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 Kathleen Selzler Lippert, the Board's Executive Director, at 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing **FINAL ORDER TERMINATING SUSPENSION AND RESTORING INACTIVE LICENSE** was served this 18<sup>th</sup> day of July, 2012 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Mark L. Allen, M.D.  
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Parma Heights, OH 44130

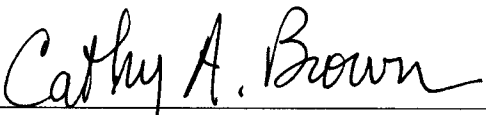
And a copy was hand-delivered to:

Joshana L. Offenbach, Associate Disciplinary Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

Katy Lenahan, Licensing Administrator  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

Melissa Massey, Compliance Coordinator  
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.

  
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Cathy Brown, Executive Assistant