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KANSAS STATE BOARD OF HEALING ARTS

BEFORE THE BOARD OF HEALING ARTS OF THE STATE OF KANSAS

In the Matter of) ANTHONY O. AMIEWALAN, M.D. Application for Kansas License)

Docket No. 05-HA-12

JOURNAL ENTRY

NOW on this Second Day of November, 2004, comes Lawrence T. Buening, Jr., Executive Director of the Kansas State Board of Healing Arts ("Board") and finds and states as follows:

1. On October 1, 2004, a copy of the Notice of Conference Hearing on the Application for Kansas License received on May 5, 2004, was mailed to Anthony O. Amiewalan, M.D. ("Respondent"), at 110 Frederick Place, Sidney, Ohio 45365. The notice was not returned in the mail as undeliverable.

2. Respondent did not attend the Conference Hearing conducted on October 16, 2004 at which time the Board found Respondent to be in default and issued a Proposed Default Order which was filed on October 20, 2004.

3. A copy of the Proposed Default Order was mailed to Respondent on October 20, 2004 at 10520 Manor, Leawood, Kansas 66206. The Proposed Default Order was not returned in the mail to the Board office as undeliverable.

4. K.S.A. 77-520 provides that a party against whom a Proposed Default Order is issued may file a written motion within seven days after service of the order requesting that the order be vacated, and if a motion is not so filed, the Proposed Default Order shall become effective.

5. Respondent has not filed a motion requesting that the Proposed Default Order be vacated and, therefore, by operation of law, the Proposed Default Order became effective November 2, 2004, and Respondent's application for license to practice medicine and surgery in the State of Kansas is denied as of that date.

DATED this 2nd day of November, 2004.

KANSAS STATE BOARD OF HEALING ARTS



LAWRENCE T. BUENING, JR. #9125
Executive Director
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, KS 66603
(785) 296-3680

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **JOURNAL ENTRY** was served on the 3^d day of November, 2004, by depositing same in the United States mail, first-class postage prepaid and addressed to:

Anthony O. Amiewalan, M.D.
110 Frederick Place
Sidney, Ohio 45365

and a copy was hand-delivered to the office of:

Kelli J. Benintendi
Associate Counsel
Kansas Board of Healing Arts
235 SW Topeka Blvd.
Topeka, KS 66604

and the original was filed with the office of the Executive Director



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OCT 20 2004

**KANSAS STATE BOARD OF
HEALING ARTS**

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

In the Matter of)
)
ANTHONY O. AMIEWALAN, M.D.)
Application for Kansas License)
_____)

Docket No. 05-HA-12

PROPOSED DEFAULT ORDER

NOW ON THIS Sixteenth Day of October 2004, comes before the Board an application by Anthony O. Amiewalan, M.D. for a license to practice medicine and surgery. Applicant does not appear. Kelli J. Benintendi, Associate Counsel, appears for the Board.

The Board finds that Applicant is in default by his non-appearance. The allegations stated in the Response in Opposition to Application for License are deemed undisputed. Based upon the undisputed facts, the Board finds, concludes, and orders as follows:

1. Applicant previously held active medical staff privileges at the Wilson Memorial Hospital in Sidney, Ohio.

2. In December 2003, Applicant surrendered his medical staff privileges at Wilson Memorial Hospital (**Confidential**)
(**Confidential**)

3. The Board concludes that Applicant's conduct that was being investigated would constitute grounds for disciplinary action under the healing arts act. Surrendering membership on a professional staff while under investigation for conduct that would be grounds for disciplinary action under healing arts act constitutes grounds for denial of an application, as provided by K.S.A. 65-2836(u).

IT IS, THEREFORE, ORDERED that the application by Anthony O. Amiewalan for a

license to practice medicine and surgery is denied.

PLEASE TAKE NOTICE that this is proposed default order. A party may file a motion to vacate a proposed default order within seven days following service of the proposed order.

Any such motion must be filed with the Executive Director at 235 S. Topeka Blvd., Topeka, KS 66603. A proposed default order becomes effective as a final agency order after the expiration of the time within which the party may file a written motion to vacate the proposed default order.

Dated this 20th Day of October 2004.

Kansas State Board of Healing Arts


Lawrence T. Buening, Jr.
Executive Director

Certificate of Service

I certify that the foregoing Final Order was served this 20th day of October 2004 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Anthony O. Amiewalan, M.D.
110 Frederick Place
Sidney, Ohio 45365

and a copy was hand-delivered to:

Kelli J. Benintendi
Associate Counsel
235 S. Topeka Blvd.
Topeka, Kansas 66603

