

OCT 17 2013

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

KS State Board of Healing Arts *pnj*

In the Matter of)
Miriam Andaya, M.D.)
)
Kansas License No. 04-35642)
_____)

KSBHA Docket No. 12-HA00059

**FINAL ORDER GRANTING REQUEST FOR TERMINATION
OF LIMITATION**

NOW on this 11th day of October 2013, comes before the Kansas State Board of Healing Arts (“Board”) the request of Miriam Andaya, M.D. (“Licensee”) for termination of the limitation contained in the Consent Order filed on March 6, 2012. Licensee appears in person and *pro se*. Jane Weiler, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to Board by 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 in the above-captioned matter. After reviewing the agency record, hearing the statements and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. Miriam Andaya, M.D. (“Licensee”) is licensed to engage in the practice of medicine and surgery in the State of Kansas, having been issued License No. 04-35642.
2. Licensee’s last known mailing address provided to the Board is: 6021 SW 29th Street, Ste. A, Box 163, Topeka, KS 66614.
3. As a condition of being granted licensure, Licensee entered into a Consent Order with the Board which imposed a limitation on Licensee and which was filed on March 6, 2012.
4. On April 13, 2012, the Board accepted and ratified the Consent Order.

5. Under the terms of the Consent Order, Licensee was required to enter and comply with a Reentry Plan with Center for Personalized Education for Physicians (CPEP) as set forth in CPEP's Clinical Practice Reentry Program Plan and provide proof of the same to the Board.

6. The terms of the Consent Order allowed Licensee to petition the Board for modification after successful completion of the Reentry Plan.

7. In July of 2012, Licensee initiated her Reentry Plan with CPEP.

8. On or about May 30, 2013, the CPEP submitted a final CPEP report regarding Licensee's CPEP Clinical Practice Reentry Plan Confidential

Confidential

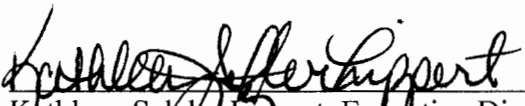
9. On August 28, 2013, Licensee submitted a request to the Board for termination of the limitations on her license contained in the Consent Order.

10. On September 12, 2013, the Respondent Board filed a Response to Petition for Termination of Limitation.

11. The Board finds that Licensee has satisfactorily met all requirements of the Consent Order and that termination of the limitation on her license is warranted.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee's request for termination of limitation on her license imposed by the Consent Order filed on March 6, 2012, is hereby **GRANTED**.

IT IS SO ORDERED THIS 16 DAY OF Oct, 2013, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Kathleen Sezler 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** was served this 17th day of October, 2013 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

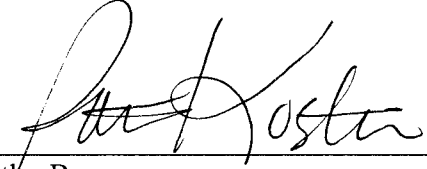
Miriam Andaya, M. D.
6021 SW 29th Street, Ste. A
Box 163
Topeka, KS 66614

And a copy was hand-delivered to:

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

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.

for 

Cathy Brown
Executive Assistant