

FILED

JUN 21 1999

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

**KANSAS STATE BOARD OF
HEALING ARTS**

In the Matter of)
)
RANDALL R. BEECH, M.D.)
Kansas License #4-19302)
_____)

Case No. 99-00231

FINAL ORDER

NOW ON THIS Twelfth Day of June, 1999, comes before the Board for a conference hearing the Petition to Revoke, Suspend or Otherwise Limit the License of Randall R. Beech, M.D. Stacy L. Cook, Litigation Counsel, appears for Petitioner. Respondent appears in person and through Stephen M. Joseph, Attorney at Law.

The facts in this case are not disputed. The Petition identifies specific instances of conduct that are alleged to violate the healing arts act, particularly K.S.A. 1998 Supp. 65-2836(k), (f) and (u), and K.S.A. 1998 Supp. 65-2836(b) (unprofessional conduct), as defined at K.S.A. 1998 Supp. 65-2837(b)(23). Respondent answers and admits the allegations of fact and admits the conclusions that the conduct violates the enumerated sections of the healing arts act. Based upon these admissions, the Board finds as follows:

1. Respondent was issued license number 4-19302 on December 5, 1981. The license authorized Respondent to practice medicine and surgery.

2. On April 7, 1997, Respondent entered into a stipulation and agreement and enforcement order. Respondent admitted in the stipulation that he had wilfully and repeatedly violated the Kansas pharmacy act and the uniform controlled substances act. Respondent also admitted that he improperly distributed controlled substances. The agreement provided that Respondent would, on a weekly basis, submit duplicate copies of all orders for controlled

substances and that Respondent would attend a mini-residency on prescribing controlled substances.

3. On April 9, 1998, the Petitioner filed a First Amended Petition alleging that Respondent violated the prior agreement. The petition also alleged that Respondent failed to appear in the hospital emergency room to respond to a stab wound while he was on call, and that he made false entries in the patient record to indicate he did respond to the call. The Board issued an order dated June 15, 1998 finding that Respondent had violated the agreement as alleged. Respondent was ordered to pay a \$1000 administrative fine.

4. Respondent has continued to write prescriptions for controlled substances without submitting duplicates as ordered. (confidential)
(confidential)

5. Respondent surrendered his DEA registration on December 15, 1998.

6. Respondent admits, and the Board concludes, that the acts described above constitute violations of the healing art act, specifically K.S.A. 1998 Supp. 65-2836(k), (f) and (u), and K.S.A. 1998 Supp. 65-2836(b) (unprofessional conduct), as defined at K.S.A. 1998 Supp. 65-2837(b)(23).

7. Respondent's testimony identifies mitigating circumstances. The Board's determination that Respondent has committed serious violations of the healing arts act is moderated by the fact that there has been no patient injury, (Confidential)

The Board finds that the mitigating circumstances support Respondent's request that his license not be revoked.

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service. A party may file a petition for reconsideration with the agency within 15 days after service of the Final Order. A petition for reconsideration is not a prerequisite to seeking judicial review. A party may seek judicial review of a Final Order by filing a petition for review in the district court. Any petition for reconsideration or for judicial review must be served upon the Executive Director at the Board office.

IT IS, THEREFORE, ORDERED that the license of Randall R. Beech, M.D., is hereby suspended for a period of 90 days. This suspension shall be effective between June 22, 1999 and September 19, 1999, inclusive.

IT IS FURTHER ORDERED that, when the suspension of Respondent's license is terminated, Respondent's license shall be limited for an indefinite period of time. Specifically, Respondent may not prescribe any control substance, except that he may order that a control substance only for administration to a patient in a hospital in which he has privileges.

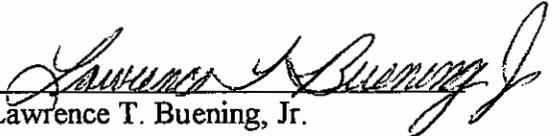
IT IS FURTHER ORDERED that any controlled substance that Respondent orders as allowed by this Final Order be reported to the Board in the same manner as the Final Order issued by the Board on June 15, 1998.

(Confidential)

(Confidential)

ENTERED THIS 21st day of June, 1999.

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 21st day of June, 1999 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Randall R. Beech, M.D.
9390 East Central
Wichita, Kansas 67206

Stephen M. Joseph
Attorney at Law
200 West Douglas Ave., Ste. 900
Wichita, Kansas 67202-30789

and a copy was hand-delivered to:

Stacy L. Cook
Litigation Counsel
235 S. Topeka Blvd.
Topeka, Kansas 66603

