

FILED

DEC 18 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 No. 4-19302)
_____)

Case No. 99-00231

**FINAL ORDER ON LICENSEE'S MOTION TO MODIFY
A PREVIOUS FINAL ORDER AND
NOTICE OF HEARING**

NOW ON THIS Eleventh Day of December, 1999, comes before the State Board of Healing Arts Licensee's request to modify the Board's Final Order Following Reconsideration, issued August 26, 1999. Licensee appears in person and without counsel. The Board appears through Stacy L. Cook, Litigation Counsel.

After hearing the arguments of the parties, the Board finds, concludes and orders as follows:

1. On April 7, 1997, Licensee and the Board entered into a settlement agreement to address alleged violations of the healing arts act. That agreement required Licensee to provide to the Board a copy of all prescriptions for controlled substances. The Board accepted the settlement agreement, and the agreement became a Board order.
2. The Board initiated a disciplinary proceeding April 9, 1998. That petition alleged, among other things, that Licensee had failed to comply with the prior order.
3. Following a hearing on the petition, the Board issued a Final Order. This order concluded that Licensee had violated the prior order. Licensee was assessed a civil fine and ordered to provide a copy of all prescriptions for controlled substances on a weekly basis; if no prescriptions were written, then a statement indicating this was to be sent to the Board.

4. In April, 1999, another disciplinary petition was filed alleging among other things that Licensee had failed to disclose to the Board a copy of specified prescriptions for controlled substances. A large number of the prescriptions were alleged to have been prescribed to the same person using three different names. That patient then sold the drugs back to Licensee.

5. Following a hearing on the petition, the Board issued an order dated June 21, 1999 finding that the facts were not disputed. Licensee's license was suspended for a period of 90 days. Additionally, the Board ordered that Licensee may not prescribe controlled substances except for those that were to be administered in the hospital. Licensee was ordered to report these orders for controlled substances in the same manner as required by the June 15, 1998 order.

6. Licensee requested that the Board reconsider the portion of the June, 1999 order which suspended his license so that he could practice at the Kingman Community Hospital. The Board issued an order dated August 26, 1999 modifying that prior order as requested.

7. Licensee then requested the order be modified again to allow him to practice at Moundridge Mercy Hospital. Counsel for the Board responded in opposition, alleging that Licensee continues to violate the previous orders by not reporting his orders for controlled substances.

8. There is no apparent dispute that Licensee has failed to report orders for controlled substances. The Board concludes that he has violated the prior order. Therefore, the Board denies the request to modify the limitation on his license by allowing him to practice at Moundridge Mercy Hospital.

9. The Board also concludes that the violation of the prior order constitutes grounds to revoke, suspend, limit, or otherwise suspend Licensee's privilege to practice the healing arts.

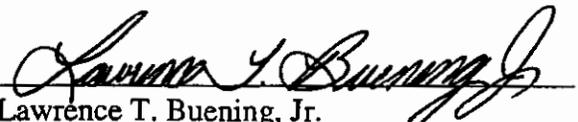
However, Licensee was not given notice that additional discipline might result from these findings. This matter is continued to the February 12, 2000 Board meeting, at which time the Board will consider whether it should impose additional discipline as a result of the violation of the prior order.

IT IS, THEREFORE, ORDERED that Licensee's request to modify the limitation upon his license so that he may practice at Moundridge Hospital is denied.

IT IS FURTHER ORDERED that this matter is continued. The hearing will resume before the members of the Board present as presiding officer on February 12, 2000 at 8:30 a.m., or as soon thereafter as time permits, in the Board office located at 235 S. Topeka Blvd., Topeka, Kansas. Stacy L. Cook is designated to appear as counsel for the Board. The issue to be determined is whether additional discipline should be imposed as a result of the violation of the prior Board order. Any party who fails to appear and participate may be held in default.

PLEASE TAKE NOTICE that this is a final order as to the issue of denying Licensee's request. A party may seek judicial review of a final order by filing a petition in the district court within 30 days following service of this order. Reconsideration is not a prerequisite to judicial review.

ENTERED THIS 12th Day of December, 1999.


Lawrence T. Buening, Jr.
Executive Director

Certificate of Service

I certify that a true copy of the foregoing order was served this 17th day of December, 1999 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Randall R. Beech, MD
9390 East Central, #103
Wichita, Kansas 67206

Stephen M. Joseph
200 W. Douglas Avenue, #900
Wichita, Kansas 67202

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

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