

BEFORE THE KANSAS STATE BOARD OF HEALING ARTS

In the Matter of
BERNARDO G. BILANG, M.D.

RECEIVED

JUN 28 1989

ENFORCEMENT ORDER

KANSAS STATE BOARD OF
HEALING ARTS

NOW, on this 16th day of June, 1989, this matter comes before the Board as a result of a Stipulation having been entered into between the Board and the above-named Applicant.

The Kansas State Board of Healing Arts (hereafter "Board") appears by and through its General Counsel, Lawrence T. Buening, Jr. There are no other appearances.

After examining the files, hearing statements of counsel and being otherwise duly advised in the premises, the Board finds as follows:

1. That on January 17, 1989, Bernardo G. Bilang, M.D. (hereafter "Applicant") filed an application for a temporary permit to practice medicine and surgery in the State of Kansas.

2. That on March 10, 1989, Applicant met on an informal basis in the Board office to discuss concerns of the Board with Applicant's practice while in the State of Florida.

3. That on June 7, 1989, Applicant was granted temporary authority to engage in the practice of medicine and surgery in the State of Kansas under the supervision and direction of Seeley T. Feldmeyer, M.D. and Juan H. Resol, M.D. until the Board acts to either approve or deny Applicant's application for permanent licensure to practice medicine and surgery in this state.

4. That on June 16, 1989, the Board approved and entered into a Stipulation signed by Applicant on June 7, 1989, a true copy of which is attached hereto.

5. That at its meeting June 16, 1989, the Board further approved the permanent licensure of Licensee to practice medicine and surgery in the State of Kansas.

IT IS THEREFORE BY THE BOARD ORDERED, ADJUDGED AND DECREED:

1. That the findings hereinabove made be and the same are made the order and decree of the Board.

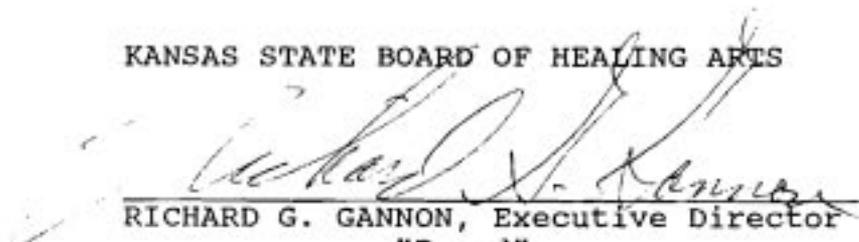
2. That the Stipulation entered into between the Board and Licensee is hereby approved and the permanent license issued to Licensee to practice medicine and surgery in the State of Kansas shall be subject to the terms and conditions set forth in such Stipulation until modified or rescinded by action of the Board.

3. That Licensee shall comply with and abide by all the terms and conditions set forth in the Stipulation attached hereto.

4. That any violation of the Stipulation by Licensee during the time the Stipulation remains in effect shall constitute prima facie evidence of a violation of the Healing Arts Act and formal adjudicative proceedings may be initiated against said Licensee for the revocation, suspension or limitation of the permanent license granted to him.

IT IS SO ORDERED.

KANSAS STATE BOARD OF HEALING ARTS


RICHARD G. GANNON, Executive Director
"Board"

Prepared and Approved by:
LAWRENCE T. BUENING, JR.
General Counsel
Kansas State Board of Healing Arts
900 SW Jackson, Suite 553
Topeka, Kansas 66612
(913) 296-7413

JUN 8 1989

KANSAS STATE BOARD OF
HEALING ARTSSTIPULATION

THIS AGREEMENT, made and entered into this 15th day of June, 1989, by and between the KANSAS STATE BOARD OF HEALING ARTS (hereinafter referred to as "Board") and BERNARDO G. BILANG, M.D. (hereinafter referred to as "Applicant").

WITNESSETH:

WHEREAS, on the 17th day of January, 1989, the Board received an application for licensure to practice medicine and surgery in the State of Kansas from Applicant; and

WHEREAS, in conjunction with said application for licensure, Applicant applied for a temporary permit to practice medicine and surgery in the State of Kansas until the June 1989 meeting of the Board; and

WHEREAS, Applicant has met on an informal basis in a meeting in the board office on March 10, 1989 to discuss concerns of the Board with Applicant's practice while in the State of Florida.

NOW, THEREFORE, in consideration of the issuance to Applicant of a temporary permit to practice medicine and surgery in the State of Kansas, the consideration to be given by the Board of permanent licensure during its meeting in June 1989 and in further consideration of the mutual promises, covenants and agreements contained herein, the parties hereto agree as follows:

1. Applicant shall have temporary authority to engage in the practice of medicine and surgery in the State of Kansas under the supervision and direction of Seeley T. Feldmeyer, M.D. and Juan H. Resol, M.D. from the date of the execution of this Stipulation until the Board acts to either approve or deny Applicant's application for permanent licensure to practice medicine and surgery in the State of Kansas.

2. That at its meeting in June 1989 the Board shall consider, in summary adjudicative proceedings, the granting of permanent licensure to Applicant. In the event the Board grants and issues to Applicant a permanent license to practice medicine and surgery in the State of Kansas, then and in that event, Applicant agrees to comply with the following terms and conditions:

A. Applicant shall arrange for the monitoring and review of

both his inpatient and outpatient treatment records by Drs. Feldmeyer and Resol. Applicant shall be responsible for insuring that Drs. Feldmeyer and Resol will provide to the Board monthly reports of their review of Applicant's patient records. Such reports shall be due not later than the 10th day of each month and shall include the number of treatment records Drs. Feldmeyer and Resol reviewed the preceding month and their opinion as to whether Applicant maintained the applicable standard of care in his treatment of the patients whose charts were reviewed.

B. Applicant shall submit a monthly list of all controlled substances in Schedules II through IV prescribed by Applicant to patients on an outpatient basis each calendar month. Such list shall be provided not later than the 10th day of each month following the issuance of any such prescriptions and shall be alphabetized by the name of the patient who received a prescription and shall further include the name, strength, and quantity of drug prescribed and the purpose for which such drug was prescribed.

C. Applicant shall permit any of the Board's investigators or any other designee of the Board to monitor his practice within the State within the Board's discretion and Applicant shall cooperate with any reasonable request in this regard.

3. It is acknowledged by and between the parties that this Stipulation shall not be binding upon the Board until the Board as a whole has granted to Applicant permanent licensure in the State of Kansas and has approved this Stipulation and entered an Enforcement Order based upon this Stipulation.

4. The effective date of this Stipulation shall be the date upon which it has been approved by the Board as a whole.

5. Should this Stipulation become effective as above stated, any violation of any of the terms and conditions of this Stipulation by Applicant shall be prima facie evidence that a violation of the Healing Arts Act has been committed for which the Board may initiate formal adjudicative proceedings under the Kansas Administrative Procedure Act.

6. By executing this Stipulation, Applicant waives all procedural and due process requirements afforded to him by the

Kansas Administrative Procedures Act.

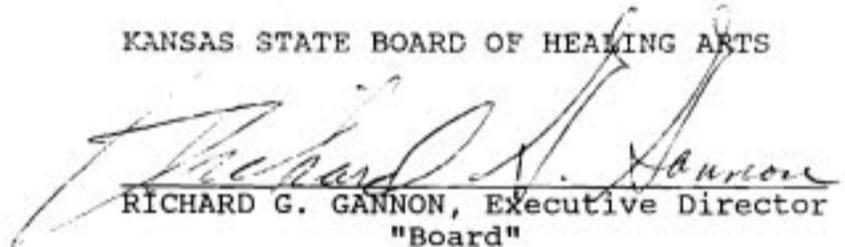
7. From and after the effective date of this Stipulation, Applicant will appear at the board office at such dates and times as the Board may direct in order to inquire of Applicant as to the nature and extent of his practice in the State of Kansas.

8. It is further understood and agreed that the provisions of this Stipulation are to be strictly construed and adhered to. From and after the effective date of this Stipulation, this Stipulation may be modified or amended only by a written instrument signed by the parties hereto.

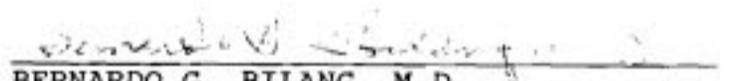
9. From and after the expiration of one year from the effective date of this Stipulation, should Applicant strictly adhere to the terms and conditions contained herein, Applicant may request an appearance before the Board to amend, modify or rescind this Stipulation and the Board will give such request due consideration.

IN WITNESS WHEREOF, the parties hereto have executed this Stipulation on the date indicated below their signature.

KANSAS STATE BOARD OF HEALING ARTS


RICHARD G. GANNON, Executive Director
"Board"

6-16-89
DATE


BERNARDO G. BILANG, M.D.
"Licensee"

DATE

Prepared by:
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