

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

**FILED**

OCT 15 1993

**KANSAS STATE BOARD OF  
HEALING ARTS**

In the Matter of the )  
Cancellation of License of )  
 )  
FREDERICK C. BOWEN, D.O. )  
License No. 5-23466 )  
\_\_\_\_\_ )

**ORDER DENYING RECONSIDERATION OF  
ORDER OF CANCELLATION OF LICENSE**

**NOW** on this 9th day of October, 1993, comes on for reconsideration before the Kansas State Board of Healing Arts (hereinafter "Board") sitting as a whole the request by Frederick C. Bowen, D.O. (hereinafter "Applicant") to vacate the Proposed Default Order of Cancellation of License. Applicant does not appear.

After reviewing the request and being otherwise duly advised in the premises, the Board makes the following findings of fact:

1. Applicant was originally licensed to practice osteopathic medicine and surgery in the State of Kansas on December 7, 1990.
2. Pursuant to K.S.A. 65-2809 and K.A.R. 100-15-1, licenses to practice osteopathic medicine and surgery expire on June 30 of each year and may be renewed annually upon the request of the licensee by providing a request for renewal on a form provided by the Board.
3. K.S.A. 65-2809(d) requires that at least 30 days before expiration of a license the Board notify licensee of the expiration

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of a license by mail to licensee's last address as noted in Board records. Upon failing to renew by the expiration date the Board will suspend action for 30 days following the date of expiration and provide a second notice to licensee that licensee's license has expired.

4. On May 14, 1993, in accordance with the statutory provisions, Applicant was mailed the form necessary to renew his license which was addressed to his last address noted in Board records. This first notice was returned to the Board office on July 8, 1993.

5. By letter dated July 8, 1993, Applicant was advised he must provide an application for exempt status and return such application to the Board office by July 16, 1993 to avoid a late fee.

6. On or about July 20, 1993, a second notice that Applicant's license had expired was provided to Applicant. In addition, a Notice of Proposed Cancellation of License was provided stating if a fully completed application for renewal, annual renewal fee and additional late fee was not received by July 31, 1993, a conference hearing would be held August 9, 1993 to consider cancellation of license. Applicant neither requested renewal, submitted the required fees, nor did he appear at the conference hearing.

7. In accordance with K.S.A. 65-2809(d) and 77-520, a Proposed Default Order of Cancellation of License dated August 9,

1993 was mailed to Applicant August 11, 1993.

8. The Proposed Default Order of Cancellation provided it would become effective upon expiration of seven days following service if a written motion requesting said Order be vacated was not received during said period.

9. On August 18, 1993, the Board office received from Applicant a renewal form for the prior year. This form was returned to him the same date, August 18, 1993, with a letter stating the 1992-1993 renewal form was not acceptable and that said license would be cancelled August 23, 1993.

10. On August 23, 1993, pursuant to the Proposed Default Order of Cancellation of License, Applicant's license to practice osteopathic medicine and surgery was cancelled.

10. Applicant's inquiry of the Governor's Constituent Services Office constituted a request for reconsideration of the Proposed Default Order of Cancellation.

11. By letter dated October 4, 1993, Applicant submitted an application for renewal together with checks made payable to the Board dated October 4, 1993 in the sums of \$115 and \$50.

**IT IS THEREFORE BY THE BOARD ORDERED** that Applicant's request to reconsider and vacate the Proposed Default Order of Cancellation of License should be denied.

**IT IS FURTHER ORDERED** that Applicant should be required to comply with the requirements necessary to reinstate his license in order to again have a valid license to practice osteopathic


medicine and surgery in the State of Kansas.

**IT IS FURTHER ORDERED** that this is a Final Order and is effective upon service on the parties. Any party may, within 15 days after service, file a Petition for Reconsideration. The filing of a Petition for Reconsideration is not a prerequisite for seeking administrative or judicial review.

**IT IS SO ORDERED.**

**DATED** this 15h day of October, 1993.

KANSAS STATE BOARD OF HEALING ARTS

  
Lawrence T. Buening, Jr.  
Executive Director  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, Kansas 66603-3068  
(913) 296-7413


**CERTIFICATE OF SERVICE**

I, Lawrence T. Buening, Jr., hereby certify that on the 15th day of October, 1993, a true and correct copy of the above and foregoing ORDER DENYING RECONSIDERATION OF ORDER OF CANCELLATION OF LICENSE was deposited in the United States mail, postage prepaid, to the following:

Frederick C. Bowen, D.O.  
3010 N.W. 47th Terrace  
Riverside, Missouri 64150

and the original was hand-delivered to:

Charlene K. Abbott  
Licensing Administrator  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, Kansas 66603-3068

  
Lawrence T. Buening, Jr.  
Executive Director

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