

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of)
IVAN G. CARNEY, D.C.)
Kansas License No. 01-03680)
_____)

Docket No. 04-HA-47

FINAL ORDER

NOW ON THIS Fourteenth Day of July 2004, this matter comes on for review of the Initial Order issued July 20, 2004. Respondent Ivan G. Carney, D.C. does not appear. Stacy L. Cook, Litigation Counsel, appears for the Board.

Having the agency record before him, the Board orders as follows:

1. The findings of fact, conclusions of law and order by Presiding Officer Gary L. Counselman, D.C. are adopted as the Final Order, except as follows:

2. Paragraph 10 is amended. Respondent should be censured and fined in the amount of \$1500 for engaging in dishonorable conduct. This fine should be paid in 10 equal monthly installments, commencing 30 days following the effective date of this order.

11. The Presiding Officer finds that Respondent should be censured for engaging in unprofessional conduct. Additionally, Respondent's license is limited. Respondent shall not practice the healing arts unless he completes a course approved by the Board regarding patient records within 180 days following the effective date of this order.

IT IS, THEREFORE, ORDERED that Ivan G. Carney, D.C. is hereby censured.

IT IS FURTHER ORDERED that Ivan G. Carney, D.C. is hereby fined in the amount of \$1500 for engaging in dishonorable conduct. This fine shall be paid in 10 equal monthly installments, due on the first day of each month, commencing 30 days following the effective date of this order.

IT IS FURTHER ORDERED that the license of Ivan G. Carney is limited; he shall not practice the healing arts in this state unless he completes a course approved by the Board regarding patient records within 180 days following the effective date of this order.

IT IS FURTHER ORDERED that the fines ordered herein shall become immediately due and payable upon written notice by the Board to Ivan G. Carney stating that payment has not been received as ordered.

IT IS FURTHER ORDERED that the costs of this proceeding are assessed against Respondent in the amount of \$455.75, and that such costs shall be paid in full within 30 days following the effective date of this order.

PLEASE TAKE FURTHER NOTICE that this is a final order. A final order is effective upon service. 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 the Board's Executive Director at 235 SW. Topeka Blvd., Topeka, KS 66603.

Dated this 23RD Day of August 2004.

Kansas State Board of Healing Arts

_____/s/_____
Lawrence T. Buening, Jr.
Executive Director

Certificate of Service

I certify that a true copy of the foregoing Final Order was served this 23rd day of August 2004 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Ivan G. Carney, D.C.
P.O. Box 128
Mulvane, KS 67110

And a copy was hand-delivered to the office of

Stacy L. Cook
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, KS 66603

_____Sheryl Snyder_____