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BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

KS State Board of Healing Arts

In the Matter of )  
Gulraiz Ahmad Cheema, M.D. )  
 )  
Application for Licensure )  
 )

KSBHA Docket No. 11-HA00054

**FINAL ORDER FOLLOWING CONFERENCE HEARING**  
**(Pursuant to K.S.A. 77-501 et seq.)**

NOW on this 25<sup>th</sup> day of February 2011, comes before the Kansas State Board of Healing Arts (“Board”) the application of Gulraiz Ahmad Cheema, M.D. (“Applicant”) for a license by endorsement to practice medicine and surgery in the State of Kansas. Applicant appears *pro se* via web-based video conference. Janith Lewis, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to Board by K.S.A. 65-2801 *et seq.* and in accordance with the provisions of the Kansas Administrative Procedure Act K.S.A. 77-501 *et seq.*, the Board hereby enters this Final Order in the above-captioned matter. After reviewing the file, hearing the statements and arguments of Ms. Lewis, hearing the testimony of the Applicant and being otherwise duly advised in the premises, the Board makes the following findings of fact, conclusions and order:

**I. Findings of Fact**

The Board has been shown the following facts:

1. Applicant submitted to the Board an application for a license by endorsement to practice medicine and surgery in the State of Kansas. Such application was deemed complete on December 28, 2010.

2. Applicant's mailing address as provided to the Board is: JPMC, Sarfraz Rafique Rd., Karachi, Pakistan, 75510.
3. Applicant graduated from Quaid-E-Azam Medical College, Islamia University on June 17, 1991, with a Bachelor of Medicine and a Bachelor of Surgery.
4. Applicant presently holds an active, unrestricted medical license in Michigan which was issued on October 26, 2010, based on examination. As of October 28, 2010, Applicant did not have any adverse disciplinary actions or open formal complaints with respect to his Michigan license.
5. Licensee has never practiced under the authority of his Michigan license.
6. Applicant presently holds an inactive medical license in Kentucky which was originally issued on September 1, 2006. As of November 4, 2010, Applicant did not have any derogatory information with respect to his Kentucky license.
7. From August 1, 2009 to July 31, 2010, Applicant held a postgraduate resident permit in Texas. No disciplinary actions were reported with respect to Applicant's postgraduate resident permit in Texas.
8. Licensee has completed four (4) years of postgraduate medical education in the United States, including three (3) years of ACGME accredited fellowships.
9. Licensee passed all three (3) USMLE steps, but failed to do so within ten (10) years as required pursuant to K.A.R. 100-7-1(b)(1).
10. Licensee's failure to complete all three (3) steps in ten (10) years was due to Licensee's inability to physically enter the United States to complete the testing within the appropriate timeframe due to visa issues.

11. Licensee's specialty is orthopedic surgery and intends to practice in Hays, Kansas primarily in foot and ankle orthopedics.

## **II. Applicable Law**

- a. K.S.A. 77-501 et seq. – Kansas Administrative Procedure Act
- b. K.S.A. 65-2801 et seq. – Kansas Healing Arts Act
- c. K.S.A. 65-2833 – Endorsement licenses; requirements

## **III. Policy Statement**

The public policy of regulating the practice of healing arts in the State of Kansas is set forth in K.S.A. 65-2801:

Recognizing that the practice of the healing arts is a privilege granted by legislative authority and is not a natural right of individuals, it is deemed necessary as a matter of policy in the interests of public health, safety and welfare, to provide laws and provisions covering the granting of that privilege and its subsequent use, control and regulation to the end that the public shall be properly protected against unprofessional, improper, unauthorized and unqualified practice of the healing arts and from unprofessional conduct by persons licensed to practice under this act.

## **IV. Conclusions**

Based upon the Findings of Fact enumerated in Paragraph Nos. 1 through 11, the Applicable Law and the Policy Statement set forth above, the Board hereby concludes as follows:

- 12. The requirement to pass all three (3) USMLE steps within ten (10) years pursuant to K.A.R. 100-7-1(b)(1) is hereby waived for good cause demonstrated by Applicant.
- 13. Upon consideration of the endorsement licensure requirement set forth in K.S.A. 65-2833(d), Applicant's lack of an active practice history under his other licenses in the United States indicates that Applicant's operative and non-operative practice in Kansas should be monitored for a suitable period of time to ensure clinical competency.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS:**

14. Applicant's application for an active license to practice medicine and surgery in the State of Kansas is hereby **GRANTED**.

15. As a condition of granting licensure, Applicant's practice shall be subject to **NON-DISCIPLINARY MONITORING** for a period of six (6) months by Robert Bassett, M.D. The monitoring shall encompass Applicant's operative and non-operative care of patients as follows:

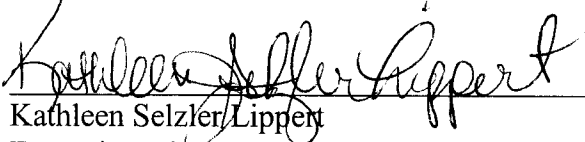
- a. Such monitoring shall include chart reviews of 100% of patients seen by Applicant during the first month and 10% of patients seen each month thereafter. Additionally, the monitoring shall include at least two (2) observed surgical procedures each month. During the monitoring period, Applicant shall ensure that the practice monitor submits monthly narrative reports to the Board which summarizes the quality of Applicant's care in the observed surgical procedures and chart reviews. The reports shall discuss any findings with respect to Applicant's operative and non-operative practice, including any surgical complications and adverse events.
- b. Each monthly report shall be due on the 15<sup>th</sup> day of the subsequent month. Applicant shall be responsible for ensuring the timely submission of the monitor's reports to the Board.
- c. Such monthly reports shall be submitted to the Board addressed to the attention of:

Compliance Coordinator  
Kansas State Board of Healing Arts  
800 SW Jackson Street, Lower Level, Suite A  
Topeka, Kansas 66612

- d. Upon the Board's receipt of six (6) monthly reports, Applicant may petition the Board in writing to request termination of the practice monitoring. The Board shall entertain such a request at the next regularly scheduled Board meeting at which Applicant shall appear.

16. The Board shall maintain jurisdiction over this matter to issue any future order(s) deemed necessary and appropriate.

IT IS SO ORDERED THIS 18 DAY OF MARCH, 2011, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.

  
Kathleen Selzler Lippert  
Executive Director  
Kansas State Board of Healing Arts

**NOTICE OF RIGHTS**

**PLEASE TAKE 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 Kathleen Selzler Lippert, the Board's Executive Director, at 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

**CERTIFICATE OF SERVICE**

I, hereby certify that a true copy of the foregoing Final Order was served this 18<sup>th</sup> day of March, 2011 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Gulraiz Ahmad Cheema, M.D.  
JPMC  
Sarfraz Rafique Rd.  
Karachi, Pakistan 75510

And a copy was hand-delivered to the offices of:

Janith Lewis, Associate Litigation Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

Katy Lenahan, Licensing Administrator  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

Melissa Massey, Compliance Coordinator  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

The original was filed with the office of:

Kathleen Selzler Lippert, Executive Director  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612



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Cathy Brown  
Executive Assistant