

FILED

CONSENT AGREEMENT

JUN 12 1992

This Consent Agreement is entered into between the Kansas State Board of Healing Arts (Board) and Robert W. Claasen (Claasen) this 11 day of May, 1992. This Consent Agreement is for the purpose of resolving an investigation being conducted by the Board relative to an allegation that Claasen was engaging in the practice of physical therapy in the state of Kansas in violation of the Kansas Physical Therapy Act, K.S.A. 65-2901 et seq., K.S.A. 65-2913 and K.S.A. 65-2915.

1. Claasen acknowledges that in 1991, Claasen opened and maintained an office for the practice of an "certified physical therapist" on premises located at 312 South Freeborn, Marion, Kansas (premises).

2. Claasen acknowledges that he distributed "business cards" and "appointment cards" identifying Claasen as a "certified physical therapist" to the public.

3. Claasen acknowledges that the opening of a practice of physical therapy and the representation of Claasen as a certified physical therapist was done without benefit of Kansas registration to engage in the practice of physical therapy and that the Kansas State Board of Healing Arts is a sole and exclusive regulatory agency regarding the practice of physical therapy in the state of Kansas.

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Robert W. Claasen

4. Claasen acknowledges that he has held himself out to others in the state of Kansas as being a duly registered certified physical therapist by utilization of the business cards stating "Robert W. Claasen, Certified Physical Therapist" and the opening of an office for the practice of physical therapy.

5. Claasen acknowledges that he personally prepared or had prepared the business cards representing himself as a certified physical therapist as referred to above.

6. Claasen acknowledges that he is not now, nor has ever been registered by the Kansas State Board of Healing Arts as a certified physical therapist.

7. Claasen acknowledges that the Kansas Physical Therapy Act, specifically K.S.A. 65-2913 states that any person who in any manner represents oneself as a physical therapist or who uses in connection with such person's name the words or letters physical therapist, registered physical therapist or any other letters, words, abbreviations or insignia indicating or implying that such person is a physical therapist without a valid existing certificate or registration as a physical therapist issued to such person pursuant to the provisions of the Kansas Physical Therapy Act shall be guilty of a misdemeanor.

8. Furthermore, Claasen acknowledges that under K.S.A. 65-2908, the Board shall register as a physical therapist or certify

as a physical therapist assistant each applicant who successfully meets the requirements provided for in this act for registration as a physical therapist or certification as a physical therapist assistant and who is otherwise qualified as required herein.

9. Claasen hereby acknowledges that he does not meet the requirements for registration or certification under the Kansas Physical Therapy Act and that he has represented himself as a certified physical therapist to bring himself with the prohibitions of K.S.A. 65-2913.

10. Claasen hereby agrees to permanently refrain from holding himself out as a certified physical therapist, physical therapist or from holding himself out or utilizing the initials "P.T." in any manner whatsoever until such time he is full and complete compliance with the Kansas Physical Therapy Act, K.S.A. 65-2901 et seq. in place at the time that he would make proper application to the Kansas Board of Healing Arts.

11. Claasen hereby releases the Kansas State Board of Healing Arts, its employees and agents from all claims to mean those damages, actions, liabilities and causes of action, both administrative and civil. This release shall discharge the Board of any and all claims or demands of every kind and nature that Alexander has claimed to have had at the time of this release or might have had either known or unknown, suspected or unsuspected and Alexander shall not commence to prosecute cause or permit to

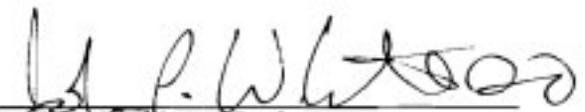
be prosecuted any action or proceeding of any description against the Board, its employees or agents arising out of acts leading to the execution of this Consent Agreement or the content of this Consent Agreement.

12. The Board acknowledges that Claasen has the right to petition the Board for granting of registration to engage in the practice as a physical therapist in the state of Kansas but no representations, promises or threats have been made to Claasen regarding the granting of such registration.

13. Claasen acknowledges that no promise, reward or threat has been made by representatives of the Board to him other than the content reflected in this Agreement.

14. Claasen acknowledges that this Consent Agreement has been entered into freely and voluntarily given and that he has read or had read to him all numbered paragraphs above and that he has received a copy of the Consent Agreement and understands the content of such Agreement.

IN WITNESS WHEREOF, the parties have executed this Consent Agreement on the date above listed.

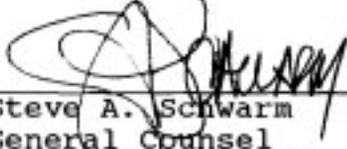
  
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John P. White, D.O.  
President  
Kansas Board of Healing Arts

  
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Robert W. Claasen

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Robert W. Claasen

Prepared and Approved:



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Steve A. Schwarm  
General Counsel  
Kansas Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, Kansas 66603  
(913) 296-7413

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