

**EFFECTIVE AS A
FINAL ORDER**

DATE: 7/2/14

FILED
JUN 12 2014

CAD

**BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS**

KS State Board of Healing Arts

In the Matter of)
)
Leslie Milton Dally, D.O.)
Kansas License No. 05-33439)
_____)

KSBHA Docket No. 14-HA 00152
Investigation No. 14-00277

SUMMARY ORDER

NOW ON THIS 12th day of June, 2014, this matter comes before Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A 77-537.

Pursuant to K.S.A 77-542, this Summary Order shall become effective as a Final Order, without further notice, if no written request for hearing is made within fifteen (15) days of service.

Upon review of the agency record and being duly advised in the premises, the following findings of fact, conclusions of law, and order are made for and on behalf of the Board:

Findings of Fact

1. Leslie Milton Dally, D.O. ("Licensee") was originally issued license number 05-33439 to practice osteopathy in the state of Kansas on October 14, 2008. Licensee's current license designation is Inactive, and such license was last renewed on or about October 1, 2013.
2. Licensee's last known mailing address to the Board is: P.O. Box 3 Paintsville, Kentucky 41240.
3. On or about October 28, 2013, the Board received a Federation of State Medical Boards (FSMB) Disciplinary Report that indicated the Kentucky Board of Medical Licensure had indefinitely restricted Licensee's license to practice osteopathy in the Commonwealth of

Kentucky on September 26, 2013, for unprofessional conduct and chemical dependency in violation of KRS 311.595 (6), (8), and (9).

4. Licensee is currently still indefinitely restricted from the practice of osteopathy in the Commonwealth of Kentucky.

5. All pending investigation materials regarding Licensee were fully reviewed and considered by the Board's Disciplinary Panel # 29. The Disciplinary Panel authorized and directed the issuance of this Summary Order and the specific disciplinary sanctions.

Applicable Law

6. K.S.A. 65-2836 of the Kansas Healing Arts Act states in pertinent part:

A licensee's license may be revoked, suspended or limited, or the licensee may be publicly or privately censured or placed under probationary conditions, or an application for a license or for reinstatement of a license may be denied upon a finding of the existence of any of the following grounds:

(j) That licensee has had a license to practice the healing arts revoked, suspended, has been censured, or has had other disciplinary action taken or an application for a license denied, by the proper licensing authority of another state, territory, District of Columbia, or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

Conclusions of Law

7. The Board finds that Licensee violated K.S.A. 65-2836(j) when he was indefinitely restricted from practice by the Kentucky Board of Medical Licensure on September 26, 2013.

8. Based on the facts and circumstances set forth herein, the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a) in that the use of summary proceedings does not violate any provision of law and the

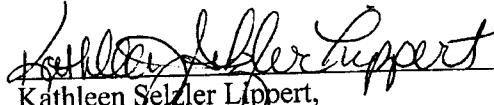
protection of the public interest does not require the Board to give notice and opportunity to participate to person other than Licensee.

IT IS, THEREFORE, ORDERED that Licensee's Kansas license is **INDEFINITELY SUSPENDED** for violating K.S.A. 65-2836(j).

PLEASE TAKE NOTICE that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

Dated this 12 day of June, 2014.

KANSAS STATE BOARD OF HEALING ARTS


Kathleen Selzler Lippert,
Executive Director

FINAL ORDER 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, Executive Director, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing **FINAL ORDER** was served this 2nd day of July, 2014 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Leslie Milton Dally, D.O.
Confidential
Prospect, KY 40059

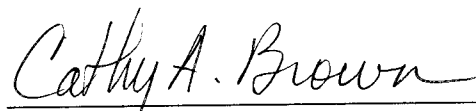
And a copy was hand-delivered to:

Susan R. Gering, 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

Office of the General Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

And the original was filed with the office of the Executive Director.



Cathy Brown, Executive Assistant