

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED

DEC 11 2001

KANSAS STATE BOARD OF
HEALING ARTS

In the Matter of)
)
HERBERT A. DANIELS, M.D.)
Kansas License No. 4-21291)
_____)

Docket No. 00-HA-36

**JOURNAL ENTRY OF IMPOSITION OF SUSPENSION and
SUMMARY ORDER OF REVOCATION**

NOW ON THIS Eighth day of December, 2001, this matter comes before the Board upon notice that Herbert A. Daniels, M.D. has been found guilty of forty-two counts, each constituting a felony, in the United States District Court for the District of Kansas.

1. The Board finds that on February 6, 2000 Respondent and the Board entered into a written agreement providing that upon notice to the Board of the unanimous verdict by the jury in United States v. Daniels convicting him of the offenses described in that agreement, Respondent's license was to be immediately suspended without further proceedings. That agreement became the order of the Board on July 17, 2000. Respondent's license is hereby suspended pending the effective date of an order permanently resolving this matter.

2. The Board is required by K.S.A. 2000 Supp. 65-2836(c) to revoke the license of a licensee who is convicted of a felony unless a two-thirds majority of the Board find clear and convincing evidence that the licensee is sufficiently rehabilitated to warrant the public trust and does not pose a danger to the public as a practitioner of the healing arts. Respondent has offered in writing to surrender his license. As it appears that Respondent does not intend to offer

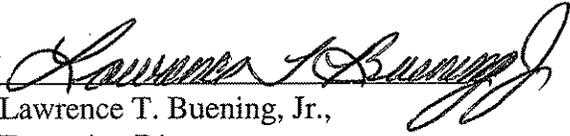
evidence of rehabilitation that would be sufficient to overcome this presumption of revocation created by statute, it is appropriate to issue a summary order revoking the license of Herbert A. Daniels.

IT IS, THEREFORE, ORDERED that the license of Herbert A. Daniels is immediately suspended as of the date of service of this order.

IT IS FURTHER ORDERED that the license of Herbert A. Daniels is revoked by Summary Order. Please take notice that a summary order is subject to a party's right to request a hearing. A written request for a hearing must be filed with the Executive Director for the Board within 15 days after service of this order. If no request for a hearing is filed, then a summary order is effective when the time period for requesting a hearing has expired.

DATED THIS 11th Day of December, 2001.

Kansas State Board of Healing Arts


Lawrence T. Buening, Jr.,
Executive Director

Certificate of Service

I certify that a true copy of the foregoing order was served this 11th day of December, 2001 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Herbert A. Daniels, M.D.
14100 Windsor
Leawood, Kansas 66224

and a copy was hand-delivered to the office of:

Stacy L. Cook
Litigation Counsel
235 S. Topeka Blvd.
Topeka, Kansas 66603

