

FILED

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

MAY 02 1994

**KANSAS STATE BOARD OF
HEALING ARTS**

In the Matter of)
)
F. JEROME DAVIS, D.C.)
Kansas License No. 1-03493)

Case No. 94-00134

FINAL ORDER FOLLOWING CONFERENCE HEARING

NOW, on this 16th day of April, 1994, this matter comes on for consideration before the Kansas State Board of Healing Arts ("Board") sitting as a whole as Presiding Officer in a conference proceeding pursuant to the provisions of K.S.A. 77-533 through 77-535, the application for exempt to active status filed by F. Jerome Davis, D.C. ("Licensee") on March 9, 1994.

Gretchen E. Schmidt, Associate Counsel, appears for the Board. Applicant appears pro se.

After reviewing the application and being otherwise duly advised in the premises, the Board finds as follows:

1. Licensee was originally licensed to practice chiropractic in the State of Kansas on June 16, 1989 and several status changes of said license were made with the last status change being from active to exempt on the application of Licensee on June 23, 1993 and has been on an exempt status from and since said time.

2. On February 2, 1994, the Board was notified that there were questions with regard to Licensee actively engaging in the practice of chiropractic in the State of Kansas.

3. An investigation into the questions and concerns was conducted and it was determined that Licensee has signed and filed health insurance claim forms, making claim for chiropractic services rendered in the State of Kansas, while Licensee's license has been exempt since June 23, 1993.

4. That pursuant to K.S.A. 65-2809(f), an exempt license status may be issued only to a person who is no longer regularly engaged in the practice of chiropractic and who does not hold oneself out to the public as being professionally engaged in such practice.

5. That from and since June 23, 1993, Licensee has regularly engaged in the practice of chiropractic in this State and has held himself out to the public as being professionally engaged in such practice.

6. That the actions and conduct of Licensee constitute violations of the Healing Arts Act, specifically, K.S.A. 65-2836(f), 65-2809(f), 65-2836(a) and 65-2836(b) as defined by K.S.A. 65-2837(b)(12) and (18).

7. That the application of Licensee for exempt to active status should be denied due to Licensee's violation of the Healing Arts Act as above stated.

IT IS THEREFORE ORDERED that the application for exempt to active status filed by Licensee on March 9, 1994 be **DENIED**.

IT IS FURTHER ORDERED that the denial of the application for exempt to active status shall be without prejudice to any additional action which may be initiated against Licensee and his license to practice chiropractic in the State of Kansas which may, upon full discovery and investigation lie.

IT IS FURTHER ORDERED that this is a Final Order and is effective upon service upon the parties. Any party may, within fifteen (15) days after service, file a Petition for Reconsideration, stating the specific grounds upon which relief is requested. The filing of a Petition for Reconsideration is not a prerequisite for seeking administrative or judicial review.

IT IS SO ORDERED.

DATED this 2nd day of May, 1994.

KANSAS STATE BOARD OF HEALING ARTS


LAWRENCE T. BUENING, JR., #9125
Executive Director

CERTIFICATE OF SERVICE


I, Lawrence T. Buening, Jr., Executive Director, Kansas State Board of Healing Arts, do hereby certify that on the 2nd day of May, 1994, a true and correct copy of the above and foregoing **FINAL ORDER FOLLOWING CONFERENCE HEARING** was deposited in the United States mail, first class postage prepaid to the following:

F. Jerome Davis, D.C.
400 E. Santa Fe
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and copies were hand-delivered to:

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