



FILED

CAD

DEC 31 2012

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

KS State Board of Healing Arts

In the Matter of)
REYNALDO A. DE LOS ANGELES, M.D.)
)
Kansas License No. 04-22426)
_____)

KSBHA Docket No. 13-HA00031

**FINAL ORDER DENYING APPLICATION FOR
LICENSE DESIGNATION CHANGE TO ACTIVE STATUS**

NOW on this 7th day of December, 2012, comes before the Kansas State Board of Healing Arts ("Board") the application of Reynaldo A. De Los Angeles, M.D. ("Licensee") for change of designation/type from inactive to active status. Licensee appears in person and *pro se*. Seth Brackman, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to the Board by the Kansas Healing Arts Act, 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 agency record, hearing the statements and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. Licensee has held a license to engage in the practice of medicine and surgery in the State of Kansas, having been issued License No. 04-22426 on approximately December 9, 1988.

2. On or about June 13, 2005, Licensee's license designation was changed to inactive status at Licensee's request. Licensee's license designation is presently "inactive," and was last renewed on June 12, 2012.

3. On or about August 13, 2012, Licensee submitted to the Board an application for change of designation/type to active status. Such application was deemed complete and filed with the Board on November 13, 2012.

4. On November 13, 2012, Associate Litigation Counsel for the Board filed a Response in Opposition to Application for Change of Designation/Type to Practice Medicine and Surgery (“Response in Opposition”). The Response in Opposition alleges that Licensee committed violations of the Healing Arts Act which warrant denial of his application for change of designation/type.

5. In conjunction with his application for change of designation/type, Licensee disclosed that he had disciplinary action taken against his Nebraska medical license in the form of a temporary license suspension in May of 2012 and a previous probationary period with limitations in July of 2010.

6. Previously, in both July of 2010, and July of 2011, Licensee renewed his inactive Kansas medical license by completing renewal applications. Licensee answered “no” to specific questions in those renewal applications which asked if he had knowledge of licensing agency investigations or disciplinary actions against him.

7. On November 4, 2010, Licensee’s Oklahoma medical license was indefinitely suspended based upon the 2010 disciplinary action against Licensee’s Nebraska medical license.

8. On July 1, 2011, Licensee’s California medical license was revoked based upon the 2010 disciplinary action against Licensee’s Nebraska medical license.

9. In July of 2012, Licensee entered into an Agreed Order which suspended his Nebraska medical license for “no less than one (1) year.” The Agreed Order was based on unprofessional conduct directly related to Licensee’s prescribing practices. (Board Exhibit C).

10. In pertinent part, the applicable law which Licensee is alleged to have violated states:

65-2836. Revocation, suspension, limitation or denial of licenses; censure of licensee; grounds; consent to submit to mental or physical examination or drug screen, or any combination thereof, implied. 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:

(a) The licensee has committed fraud or misrepresentation in applying for or securing an original, renewal or reinstated license.

...

(j) The licensee has had a license to practice the healing arts revoked, suspended or limited, 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.

...

(t) The licensee has failed to report to the board any adverse action taken against the licensee by another state or licensing jurisdiction, a peer review body, a health care facility, a professional association or society, a governmental agency, by a law enforcement agency or a court for acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action under this section.

11. The Board finds that Licensee committed misrepresentation and/or concealed material facts in both his 2010 and 2011 renewal applications due to his negative answers to specific questions in the renewal applications about licensing agency investigations and disciplinary actions against him. At the time Licensee answered the renewal questions, his medical licenses in other states had in fact been disciplined.

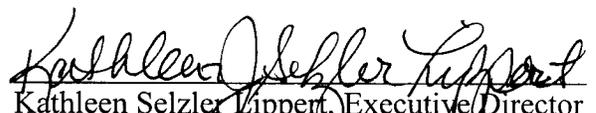
12. The disciplinary actions against Licensee's Nebraska medical license were based on allegations concerning improper prescribing which is conduct which is also grounds for discipline pursuant to K.S.A. 65-2836, as further defined in K.S.A. 65-2837(b)(23). The disciplinary actions against Licensee's Oklahoma and California medical licenses were based on the discipline against his Nebraska medical license which is also grounds for discipline pursuant to K.S.A. 65-2836(j).

13. Based upon the evidence and testimony presented, the Board concludes that Licensee committed fraud or misrepresentation in the renewal of his licenses in 2010 and 2011 in violation of K.S.A. 65-2836(a); Licensee's licenses in Nebraska, Oklahoma and California have been disciplined in violation of K.S.A. 65-2836(j); and Licensee failed to report adverse actions to the Board, namely the discipline of his other medical licenses, which were based on conduct similar to acts or conduct which would be grounds for discipline in violation of K.S.A. 65-2836(t).

14. The Board further concludes that the nature of Licensee's violations warrant denial of his application for designation/type change to active status.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS Licensee's Application for License Designation Change to Active Status is hereby DENIED.

IT IS SO ORDERED THIS 31st DAY OF DECEMBER, 2012, 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, and service of a Final Order is complete upon mailing. Pursuant to K.S.A. 77-529, Licensee may petition the Board for Reconsideration of a Final Order within fifteen (15) days following service of the final order. Additionally, 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 State 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 and correct copy of the above and foregoing **FINAL ORDER DENYING APPLICATION FOR LICENSE DESIGNATION CHANGE TO ACTIVE STATUS** was served this 31st day of December, 2012 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

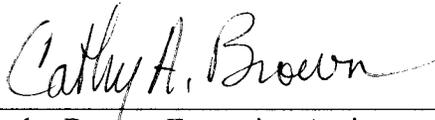
Reynaldo A. De Los Angeles, M.D.
Confidential
Kearney, NE 68845

And a copy was hand-delivered to:

Seth Brackman, 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

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



Cathy Brown, Executive Assistant