

**FILED** CAB

**NOV 13 2008**

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

**KS State Board of Healing Arts**

In the Matter of }  
Nitin Dhiman, M.D., }  
Application for Kansas License }  
\_\_\_\_\_ }

Docket No. 09- 00044  
09-HA 00044

**FINAL ORDER**

NOW this 12<sup>th</sup> day of November, 2008 the above captioned matter comes before the Kansas State Board of Healing Arts (Board) on the applicant, Nitin Dhiman, M.D.'s, Motion for Reconsideration of the October 11, 2008 Final Order of the Board. The Board, through Acting Executive Director and delegated agency head Jack Confer, being familiar with the file and being duly apprised of its premises finds as follows:

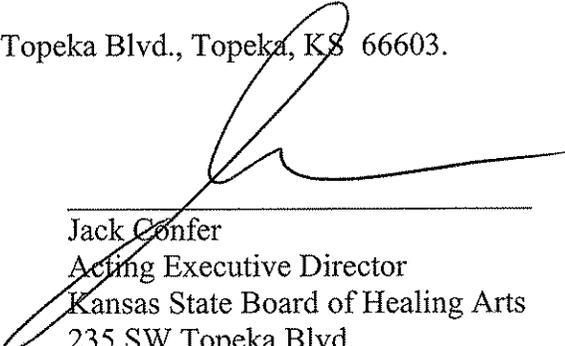
1. On June 16, 2008 the petitioner, Nitin Dhiman, M.D., applied to the Board for a Postgraduate Permit.
2. Board staff opposed Dr. Dhiman's application for a Postgraduate Permit.
3. On October 11, 2008 the petitioner appeared before the Board and presented his reasons why he should obtain a Postgraduate Permit. The petitioner further requested the Board not report a denial of his application to the National Practitioner Data Bank.
4. The Board concluded the petitioner had violated K.S.A. 65-2836(a),(b) and (r) in his application for a Postgraduate Permit.
5. In its October 11, 2008 Final Order filed October 27, 2008 the Board denied the application for the Postgraduate Permit by Nitin Dhiman.
6. On November 6, 2008 the Board received a letter addressed "To whom it may concern" which has been construed as a Petition for Reconsideration from the petitioner, Nitin Dhiman, M.D.

7. The Petition for Reconsideration did not contain any new information which would assist the Board in reconsidering its previous decision.

WHEREUPON, the Petition for Reconsideration of Nitin Dhiman of the Board's October 11, 2008 Final Order filed October 27, 2008 is hereby DENIED.

**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 Jack Confer, the Board's Acting Executive Director, at 235 SW Topeka Blvd., Topeka, KS 66603.

IT IS SO ORDERED.



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Jack Confer  
Acting Executive Director  
Kansas State Board of Healing Arts  
235 SW Topeka Blvd.  
Topeka, KS 66603-3068  
785/296-3680

#### CERTIFICATE OF SERVICE

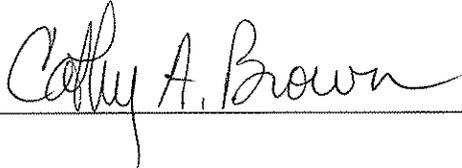
I, hereby certify that a true copy of the foregoing Final Order was served this 13<sup>th</sup> day of November, 2008 by depositing the same in the United States Mail, first-class postage prepaid and addressed to:

Nitin Dhiman, M.D.  
12760 Ballentine  
Overland Park, KS 66213

And a copy hand delivered to:

Kathleen Lippert  
Litigation Counsel  
Kansas State Board of Healing Arts  
235 SW Topeka Blvd.  
Topeka, KS 66603

Katy Lenahan  
Licensing Administrator  
235 SW Topeka Blvd.  
Topeka, KS 66603

  
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