

FILED

MAR 23 1995

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

**KANSAS STATE BOARD OF
HEALING ARTS**

In the Matter of)
)
SAMUEL LEE DRAKE, M.D.)
Applicant for Licensure)
_____)

Case No. 95-00174

FINAL ORDER FOLLOWING CONFERENCE HEARING

NOW on this 11th day of February, 1995, 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 of Samuel Lee Drake, M.D. ("Applicant") for licensure by endorsement to practice medicine and surgery in the State of Kansas. Gretchen E. Schmidt, Associate Counsel, appears for and on behalf of the Board. Applicant appears not.

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

FINDINGS OF FACT

1. On October 19, 1994, Applicant filed an application for endorsement to obtain a license to practice medicine and surgery in the State of Kansas.
2. Based upon information provided by Applicant in his application, the Board conducted an investigation into Applicant's affirmative answers to questions 17 and 18 of section VI of the application.
3. On January 26, 1994, Applicant was convicted of seven separate felony counts

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in the Superior Court of the State of California, County of San Diego, to include grand theft, presenting false Medical claims, and forgery of a prescription.

CONCLUSIONS OF LAW

1. Applicant has been convicted of a felony, whether or not related to the practice of the healing arts, in violation of K.S.A. 65-2836(c).

2. The above-noted facts and conclusions constitute grounds for which the Board may deny an application for licensure by endorsement to practice medicine and surgery in the State of Kansas pursuant to K.S.A. 65-2836(c).

IT IS THEREFORE BY THE BOARD ORDERED as follows:

A. That the findings herein above made be and the same are made the Order of the Board.

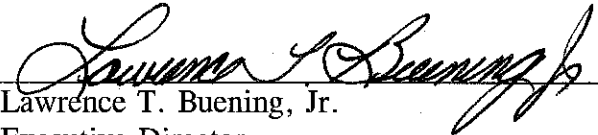
B. Adequate information has been provided to the Board to justify denial of a permanent license to Applicant to practice medicine and surgery in the State of Kansas. Applicant's application for licensure by endorsement is therefore **DENIED**.

C. This is a Final Order and is effective upon service upon the parties. Any party may, within 15 days after service, file a Petition for Reconsideration. The filing of a Petition for Reconsideration is not a prerequisite for seeking administrative or judicial review.

IT IS SO ORDERED.

DATED this 23^d day of March, 1995.

KANSAS STATE BOARD OF HEALING ARTS


Lawrence T. Buening, Jr.
Executive Director

CERTIFICATE OF SERVICE

I, Lawrence T. Buening, Jr., certify that on this 23rd day of March, 1995, a true and correct copy of the above **FINAL ORDER FOLLOWING CONFERENCE HEARING** was deposited in the United States mail, first class, postage prepaid, addressed to the following:

Samuel Lee Drake, M.D.
1757 Henderson Court
Vista, California 92083

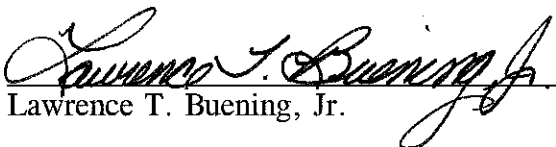
and copies were hand-delivered to:

Gretchen E. Schmidt
Associate Counsel
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603-3068

Charlene K. Abbott
Licensing Administrator
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603-3068

and the original was hand-delivered to:

Office of the Executive Director
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603-3068


Lawrence T. Buening, Jr.

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