

FILED

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

AUG 3 2000

**KANSAS STATE BOARD OF
HEALING ARTS**

In the Matter of)
Marcia A. Drewry, D.O.)
Kansas License No. 5-25400)
_____)

Case No. 01-HA-4

**AGREED UPON ORDER ON PETITIONER’S MOTION FOR ORDER
TEMPORARILY SUSPENDING LICENSE AND FOR EMERGENCY
PROCEEDINGS ON PETITION TO REVOKE, SUSPEND
OR OTHERWISE LIMIT LICENSE**

THIS MATTER comes on for consideration by the Presiding Officer, Lawrence T. Buening, Jr. of Petitioner’s motion for an order to temporarily suspend Licensee’s license and for emergency proceedings. Respondent Marcia A. Drewry, D.O. appears by and through William Tinker, Jr. Petitioner the Board appears by and through Litigation Counsel, Stacy L. Cook.

Having reviewed the file and being familiar with the statements of counsel and being duly informed in the premises, the Presiding Officer finds as follows.

1. On July 27, 2000, Petitioner filed a Petition to Revoke, Suspend or Otherwise Limit License (“Petition”). The Petition includes, for the most part, allegations that Licensee failed to adhere to the applicable standard of care in the treatment of multiple patients.

2. On July 27, 2000, Petitioner also filed a motion requesting an order for a temporary suspension of Licensee’s license and for emergency proceedings pursuant to K.S.A. 65-2838(c) and K.S.A. 77-536(a)(1).

3. On Monday July 31, 2000 a hearing was conducted with the parties. The

Presiding Officer discussed the procedure with the parties and requested a copy of Petitioner's proposed exhibits.

4. On Tuesday August 1, 2000 another hearing was conducted with the parties. At this time, the Presiding Officer granted Petitioner's request for emergency proceedings and scheduled the proceedings for Friday August 4, beginning at 10:00 a.m.

5. The parties have now agreed that in lieu of conducting the emergency proceedings, Licensee's license will convert to "Inactive" status, K.S.A. 65-2809(g), effective Monday August 7, 2000 at 8:15 a.m.

6. Licensee's license status will remain Inactive until proceedings have been completed on the Petition pursuant to the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.*

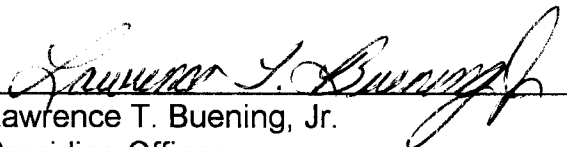
7. This order regarding the request for emergency proceedings and a temporary suspension only resolves Petitioner's motion for an order of temporary suspension and does not rule on any of the allegations contained in the Petition.

8. By this agreement, Petitioner is not waiving its allegation that Licensee's continued practice constitutes an imminent danger to the public. Petitioner has discussed the situation with Kiowa District Hospital and has become aware of certain measures which Petitioner believes should alleviate such alleged threat until Monday August 7, 2000.


THEREFORE, for good cause, the Presiding Officer hereby Orders that on Monday August 7, 2000 at 8:15 a.m., Licensee's license will be placed on Inactive

status and will remain Inactive until proceedings have been completed on the Petition pursuant to the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.*

IT IS SO ORDERED this 3^d day of August, 2000.


Lawrence T. Buening, Jr.
Presiding Officer

Prepared and Agreed to by:


Stacy L. Cook #16385
Litigation Counsel
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603
(785) 296-7413

William Tinker, Jr. #06420
McDonald, Tinker, Skaer, Quinn & Herrington, P.A.
P.O. Box 207
Wichita, Kansas 67201-0207
Attorney for Licensee

status and will remain Inactive until proceedings have been completed on the Petition pursuant to the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.*

IT IS SO ORDERED this ____ day of August, 2000.

Lawrence T. Buening, Jr.
Presiding Officer

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William Tinker, Jr. #06420
McDonald, Tinker, Skaer, Quinn & Herrington, P.A.
P.O. Box 207
Wichita, Kansas 67201-0207
Attorney for Licensee