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JUL 08 2011

KS State Board of Healing Arts

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

In the Matter of)
Richard K. Dyer, M.D.)
)
Kansas License No. 04-30539)
_____)

KSBHA Docket No.11-HA00087

**FINAL ORDER GRANTING REINSTATEMENT
OF LICENSURE SUBJECT TO DISCIPLINE**

NOW on this 17th day of June 2011, comes before the Kansas State Board of Healing Arts (“Board”) the application of Richard K. Dyer, M.D. (“Applicant”) for reinstatement of his license to practice medicine and surgery. Applicant appears *pro se*. Stacy Bond, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to Board by 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 file, hearing the statements and arguments of Ms. Bond, hearing the testimony of Applicant, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. Applicant’s last known mailing address provided to the Board is: confidential
confidential
Manhattan, Kansas 66503.
2. Applicant was previously licensed to engage in the practice of medicine and surgery in the State of Kansas, having applied for and been issued License No. 04-30539 on approximately April 17, 2004.
3. On approximately July 1, 2003, Applicant’s license was canceled for failure to renew.

4. On approximately April 28, 2011, Applicant filed an Application for Reinstatement of Licensure (“2011 Reinstatement Application”) with a request for a federally active designation.

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7. In his 2011 Reinstatement Application, Applicant further disclosed that in 1998, he was arrested in Muncie, Indiana. The arrest resulted in Applicant’s subsequent guilty plea in 1999, to Carrying a Handgun without a License, which is a Class A misdemeanor.

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10. In Applicant’s 2011 Reinstatement Application, Applicant answered “no” to disciplinary question 10(j) which asked:

To your knowledge, have any complaints (regardless of status) ever been filed against you with any licensing agency, professional association, hospital, nursing home, clinic or other health care facility?

11. In actuality, Applicant's Nebraska medical license had been subject to a non-disciplinary Assurance of Compliance in 2005, to resolve allegations that Applicant discontinued medication for all patients under his care at a Nebraska health care facility without seeing the patients or providing follow up care by another physician.

12. Applicant misrepresented in his 2011 Reinstatement Application that he had never had any complaints filed against him with a licensing agency.

13. Committing misrepresentation in applying for an original or reinstated license is grounds for denial of licensure and/or disciplinary action pursuant to K.S.A. 65-2836(a).

14. Conviction of a Class A misdemeanor is grounds for denial of licensure and/or disciplinary action pursuant to K.S.A. 65-2836(c).

15. In accord with the Board's "Guidelines for the Imposition of Disciplinary Actions" (August 2008), it is appropriate to grant reinstatement of Applicant's license subject to disciplinary action in the form of a SUSPENSION of such license for thirty (30) days and a FINE in the amount of \$500.

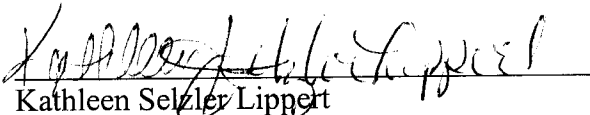
IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Applicant is granted reinstatement of licensure to practice medicine and surgery in Kansas with a federally active designation.

IT IS FURTHER ORDERED THAT such license is hereby immediately SUSPENDED for a period of thirty (30) days. The SUSPENSION shall automatically terminate on August 7, 2011.

IT IS FURTHER ORDERED THAT Applicant is hereby ordered to pay a FINE pursuant to K.S.A. 65-2863a in the amount of \$500. The total amount of \$500 shall be due on or before August 15, 2011. Such amount is payable to "Kansas State Board of Healing Arts" and shall be sent to: Compliance Coordinator, Kansas State Board of Healing Arts, 800 SW Jackson Street, Lower Level- Suite A, Topeka, Kansas 66612.

IT IS FURTHER ORDERED THAT the Board shall maintain jurisdiction over this matter to issue any future order(s) deemed necessary and appropriate.

IT IS SO ORDERED THIS 7th **DAY OF JULY, 2011, 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. 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, the Board's Executive Director, at 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing **Final Order Granting Reinstatement of Licensure Subject to Discipline** was served this 8th day of July, 2011 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Richard K. Dyer, M.D.
confidential

Manhattan, KS 66503

And a copy was hand-delivered to:

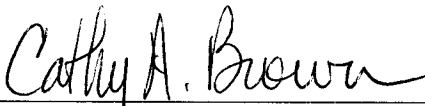
Stacy Bond, Associate Litigation Counsel
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Katy Lenahan, Licensing Administrator
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Topeka, Kansas 66612

Melissa Massey, Compliance Coordinator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
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The original was filed with the office of:

Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612



Cathy Brown
Executive Assistant