

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED

JUL 14 2011

KS State Board of Healing Arts

In the Matter of
SANDRA J. EDWARDS, M.D.

Kansas License No. 04-22912

KSBHA Docket No. 11-HA00107

FINAL ORDER ASSESSING CIVIL FINE

COMES NOW the Kansas State Board of Healing Arts ("Board"), by and through its Executive Director, Kathleen Selzler Lippert ("Executive Director"), a duly authorized representative of the Board in accordance with K.S.A 2010 Supp. 77-514 to conduct summary proceedings pursuant to K.S.A 2010 Supp. 77-537, and, pursuant to 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.*, hereby enters the following findings of fact, conclusions of law, and Final Order in the above-captioned matter:

I. Findings of Fact

1. Sandra J. Edwards, M.D. ("Licensee") is licensed to engage in the practice of medicine and surgery in the State of Kansas, License No. 04-22912. Licensee was originally licensed to practice medicine and surgery in Kansas on December 8, 1989. Licensee's license is currently in a pending renewal status.

2. Licensee's last known mailing address provided to the Board is: confidential
Dr., Independence, Kansas 67301.

3. On May 25, 2011, the Executive Director, in accordance with K.S.A. 2010 Supp. 77-514, and as authorized by K.S.A. 2010 Supp. 65-2836 and K.S.A. 65-2863a, issued a Summary Order assessing a fine of \$300.00 against Licensee for violation of K.S.A. 65-2837 of

the Kansas Healing Arts Act. The Summary Order ordered Licensee to remit the assessed civil fine to the Board within thirty (30) days following the effective date of the Summary Order.

4. All facts set forth in the Summary Order filed in this matter, on May 25, 2011, are hereby adopted by reference herein.

5. Pursuant to K.S.A. 77-542, the Summary Order notified Licensee that if a written request for a hearing was not filed within fifteen (15) days following service of the Summary Order, the Summary Order would become effective as a Final Order of the Board upon expiration of the time for requesting a hearing. The Summary Order required any written request for hearing to be mailed to Kathleen Selzler Lippert, at 800 SW Jackson, Lower Level-Suite A, Topeka, Kansas 66612.

6. Pursuant to K.S.A. 2010 Supp. 77-531, the Summary Order was served upon Licensee by mailing a copy of the Summary Order to Licensee at Licensee's last known address of record with the Board, via United States Certified Mail, postage prepaid.

7. No written request for hearing was received by the Executive Director within fifteen (15) days following service of the Summary Order.

8. Pursuant to K.S.A. 77-530, the Summary Order became effective as a Final Order on June 13, 2011, without further notice.

9. As of the date of this Final Order, Licensee has not remitted payment in the amount of \$300.00 to the Board for the civil fine assessed by the Summary Order.

II. Applicable Law

1. Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*
2. Kansas Healing Arts Act, K.S.A. 65-2801, *et seq.*

3. K.S.A. 65-2837(b)(12) defines “unprofessional conduct” as conduct likely to deceive, defraud or harm the public.

III. Policy Statement

The public policy of regulating the practice of healing arts in the State of Kansas is set forth in K.S.A. 65-2801:

Recognizing that the practice of the healing arts is a privilege granted by legislative authority and is not a natural right of individuals, it is deemed necessary as a matter of policy in the interests of public health, safety and welfare, to provide laws and provisions covering the granting of that privilege and its subsequent use, control and regulation to the end that the public shall be properly protected against unprofessional, improper, unauthorized and unqualified practice of the healing arts and from unprofessional conduct by persons licensed to practice under this act.

IV. Conclusions of Law

1. The Board has jurisdiction over Licensee.
2. The Summary Order filed in this matter on May 25, 2011, became effective as a Final Order on June 13, 2011.
3. Pursuant to K.S.A. 2010 Supp. 65-2837, Licensee has engaged in unprofessional conduct.
4. Licensee has not remitted payment in the amount of \$300.00 to the Board for the fine assessed in the Summary Order.

V. Order


IT IS THEREFORE ORDERED that the Summary Order filed in the above-captioned matter has become a Final Order.

IT IS FURTHER ORDERED that the \$300.00 fine assessed against Licensee in the Summary Order, for violation of the Kansas Healing Arts Act, is hereby immediately due and payable in full. Payment in the form of a check made out to “Kansas State Board of Healing


Arts” or a money order shall be sent to the following: **Attention: Compliance Coordinator, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 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 14th 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

Prepared and Approved by:


Randy E. Stookey, #21885
Assistant General Counsel
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. 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, 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** was served this 14th day of July, 2011 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Sandra J. Edwards, M.D.
confidential
Independence, Kansas 67301

and a copy was hand-delivered to:

Melissa Massey
Compliance Coordinator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, KS 66612

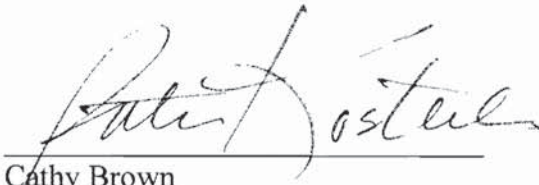
Joshana L. Offenbach
Associate Disciplinary Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

and an electronic courtesy copy was sent to:

Office of the General Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, KS 66612
mowens@ksbha.ks.gov

and the original was filed with the office of the Executive Director:

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 (for)