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

| In the Matter of | ) |
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| Sandra J. Edwards, M.D. | ) KSBHA Docket No. 11-HA00107 |
| Kansas License No. 04-22912 | ) |

## JOURNAL ENTRY OF SATISFACTION OF FINAL ORDER

COMES NOW the Kansas State Board of Healing Arts ("Board"), by and through its Executive Director, Kathleen Selzler Lippert, a duly authorized representative of the Board, in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501 et seq., as amended, and upon due consideration of the file and applicable statutes and being otherwise duly advised in the premises, makes the following determinations:

1. Sandra J. Edwards, M.D. ("Licensee") has, since approximately December 8, 1989, maintained License No. 04-22912 to engage in the practice of medicine and surgery in the State of Kansas.
2. Licensee's mailing address of record provided to the Board is: confidential Dr., Independence, Kansas 67301.
3. On May 25, 2011, Executive Director Selzler Lippert, in accordance with K.S.A. 2010 Supp. 77-514, and as authorized by K.S.A. 65-2863a, issued a Summary Order against Licensee for violation of K.S.A. 65-2837 of the Kansas Healing Arts Act. The Summary Order ordered Licensee to pay a civil fine in the amount of $\$ 300.00$. 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. Pursuant to K.S.A. 77-542, the Summary Order notified Licensee that if a written
request for 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.
5. The Summary Order notified Licensee that, upon becoming effective as a Final Order, the document would be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.
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 Mail, first-class postage prepaid.
7. Pursuant to K.S.A. 77-526 and 77-530, the Summary Order became effective as a Final Order on June 13, 2011.
8. On or about August 5, 2011, Licensee remitted payment in full to the Board of the $\$ 300.00$ civil fine.
9. Licensee has satisfied all requirements of the Summary Order and has no further obligation for compliance.
10. Licensee has not requested a hearing on the Summary Order or petitioned the Board for review of the Final Order.

IT IS THEREFORE ORDERED that the Summary Order filed in the above-captioned matter on May 25, 2011 became effective as a Final Order on June 13, 2011.

IT IS FURTHER ORDERED that Licensee has satisfied all requirements of the Final Order, and is discharged from all requirements of the Final Order.

IT IS FURTHER ORDERED that the Board shall maintain jurisdiction over this matter to issue any further $\operatorname{Order}(\mathrm{s})$ deemed necessary and appropriate

IT IS SO ENTERED THIS $34^{\frac{84}{1}}$ DAY OF Augy , 2011, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Executive Director
Kansas State Board of Healing Arts
Prepared and approved by:


Randy E. Stookey, \#21885
Associate General Counsel
Kansas State Board of Healing Arts

## CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the above and foregoing Journal Entry of
Satisfaction of Final Order, by depositing the same in the United States mail, postage prepaid, on this $1^{1^{\text {st }}}$ day of Septeinher,2011, addressed to:

Sandra J. Edwards. M.D. confidential

Independence, Kansas 67301
and a copy hand delivered to the office of:

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

Melissa Massey, Compliance Coordinator
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:

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

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of
SANDRA J. EDWARDS, M.D.
Kansas License No. 04-22912

JUL 142011

) 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
 DAY OF JULY, 2011, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


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 $\mathbf{3 0}$ 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 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


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

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

Kansas License No. 04-22912

## Docket No. 11-HA OO 107

## SUMMARY ORDER

NOW ON THIS 2 Selzler Lippert, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A 77-537.

Pursuant to K.S.A 77-542, this Summary Order shall become effective as a Final Order. without further notice, if no written request for hearing is made within fifteen (15) days of service.

Upon review of the agency record and being duly advised in the premises, the following findings of fact, conclusions of law, and order are made for and on behalf of the Board:

1. Sandra J. Edwards, M.D. ("Licensee") was originally issued license number 04-22912 to practice medicine and surgery in the state of Kansas on December 8, 1989. Licensee's license is active, having last been renewed on or about July 19, 2010.
2. Licensee's last known mailing address, as provided to the Board at the time of her renewal is confidential Leawood, Kansas 66209.
3. Licensee's license designation was federally active from approximately July 1, 2009 to approximately July $18,2010$.
4. Licensee's online renewal application stated that no private practice outside of the federal employment is allowed in the state of Kansas for the federally active license designation.
5. On July 21, 2010, the Board opened an investigation concerning Licensee's working at Mercy Hospital in their emergency department with a federally active license designation.
6. Mercy Hospital is not a federal employer or one of the listed exceptions.
7. On or about July 22, 2010, Board staff contacted Licensee at her place of employment, where she confirmed she had been working at Mercy Hospital in the emergency department without an Active license designation.
8. Licensee provided a written response to the allegations on or about August 12, 2010. Licensee confirmed she had been working at Mercy Hospital with a Federal Active license designation since approximately June of 2010.
9. On or about September 22, 2010, Board staff received an e-mail from Mercy Hospital's Medical Staff Coordinator confirming Licensee had been given temporary privileges to work on May 27, 2010.
10. All pending investigation materials were fully reviewed and presented to the Board's Disciplinary Panel No. 25. The Disciplinary Panel authorized and directed the issuance of this Summary Order.

## Applicable Law

11. K.S.A. 65-2836 states in relevant part: Revocation, suspension, limitation or denial of licenses; censure of licensee; grounds; consent to submit to mental or physical examination or drug screen, or any combination thereof, implied. A licensee's license may be revoked, suspended or limited, or the licensee may be publicly or privately censured or placed under probationary conditions, or an application for a license or for reinstatement of
a license may be denied upon a finding of the existence of any of the following grounds:
(b) The licensee has committed an act of unprofessional or dishonorable conduct or professional incompetency, except that the board may take appropriate disciplinary action or enter into a non-disciplinary resolution when a licensee has engaged in any conduct or professional practice on a single occasion that, if continued, would reasonably be expected to constitute an inability to practice the healing arts with reasonable skill and safety to patients or unprofessional conduct as defined in K.S.A. 65-2837, and amendments thereto.
12. K.S.A. 65-2837 states in relevant part: Professional incompetency, unprofessional conduct; definitions. As used in K.S.A. 65-2836, and amendments thereto, and in this section: (b) "Unprofessional conduct" means:
(12) Conduct likely to deceive, defraud or harm the public.
13. K.S.A. 65-2809(h)(1) states in relevant part: Expiration date of licenses; continuing education requirements; evidence licensee maintaining professional liability insurance; notice of expiration; fees; cancellation of license; reinstatement, when; exempt licensees; inactive license; federally active license.
(h) (1) There is hereby created a designation of federally active license. The board is authorized to issue a federally active license to any licensee who makes written application for such license on a form provided by the board and remits the same fee required for a license established under K.S.A. 652852 and amendments thereto. The board may issue a federally active license only to a person who meets all the requirements for a license to practice the healing arts in Kansas and who practices that branch of the healing arts solely in the course of employment or active duty in the United States government or any of its departments, bureaus or agencies. A person issued a federally active license may engage in limited practice outside of the course of federal employment consistent with the scope of practice of exempt licenses under subsection (f), except that the scope of practice of a federally active licensee shall be limited to the following: (A) Performing administrative functions, including peer review, disability determinations, utilization review and expert opinions; (B) providing direct patient care services gratuitously or providing supervision, direction or consultation for no compensation except that nothing in this subpart (1)(B) shall prohibit a person licensed to practice the healing arts issued a federally active license from receiving payment for subsistence allowances or actual and necessary expenses incurred in providing such services; and (C) rendering professional services as a charitable health care provider as defined in K.S.A. 75-6102 and amendments thereto.

## Conclusions of Law

13. The Board has jurisdiction over Licensee.
14. Pursuant to K.S.A. $65-2809(\mathrm{~h})(1)$, Licensee was prohibited from practicing outside of federal employment except for performing administrative functions, providing free patient care services and/or supervision, direction, or consultation.
15. Pursuant to K.S.A. 65-2837, Licensee has engaged in unprofessional conduct by practicing without the proper license designation.
16. Based on the facts and circumstances set forth herein, it appears the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings does not violate any provision of the law and the protection of the public interest does not require the Board to give notice and opportunity to participate to persons other than Licensee, Sandra J. Edwards, MD.

IT IS, THEREFORE, ORDERED that Licensee is FINED $\$ 300.00$ for violating the Healing Arts Act. Such fine is due and payable in full to the "Kansas State Board of Healing Arts" within thirty 30 days of the effective date of the Summary Order. Attention: Compliance Coordinator Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

PLEASE TAKE NOTICE that this is a Summary Order. A party to whom a Summary Order is issued may file a written request for a hearing pursuant to K.S.A. 77542 within fifteen (15) days following service of the Summary Order. Such written request shall also state the legal and/or factual basis upon which the party opposes this Order. If a hearing is not requested, the Summary Order shall become effective as a Final Order of the Board upon expiration of the time for requesting a hearing. A written

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request for hearing must be addressed and mailed to Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

PLEASE TAKE NOTICE that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

Dated this ${ }^{\text {ght }}$ day of May, 2011.


PREPARED BY:
sishana \&. Atenbaeh
Jøshana L. Offenbach,
Associate Disciplinary Counsel

## CERTIFICATE OF SERVICE

I Cathy Brown certify that the foregoing SUMMARY ORDER was served this 25 th day of May , 2011, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Sandra J. Edwards, M.D. confidential
Leawood, Kansas 66209.
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 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



[^0]:    Sandra J. Edwards, M.D.

