

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

KS State Board of Healing Arts

In the Matter of)
Darin J. Elo, M.D.)
)
Kansas License No. 04-28284)
_____)

KSBHA Docket No. 10-HA00141

FINAL ORDER TERMINATING CONSENT ORDER

NOW on this 21st day of October 2011, comes before the Kansas State Board of Healing Arts ("Board") the request of Darin J. Elo, M.D. ("Licensee") for termination of the Consent Order filed by the Board in Docket No. 10-HA00141 ("Consent Order"). Licensee appears in person and by and through legal counsel, Mark Stafford. Janith A. Lewis, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to Board by the Kansas Healing Arts Act, 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 agency record, hearing the testimony of Licensee, hearing the statements and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions, and orders:

1. Licensee is licensed to engage in the practice of medicine and surgery in the State of Kansas, License No. 04-28284, and has been so licensed since approximately August 14, 1999.

2. On or about May 3, 2010, Licensee entered into a Temporary Consent Order with the Board due to information Licensee voluntarily reported to the Board regarding alleged violations of the Kansas Healing Arts Act. The terms of the Temporary Consent Order placed a practice limitation on Licensee's license and required a practice mentoring. confidential

confidential

3. The terms of the Temporary Consent Order allowed Licensee to request modification or termination of the Consent Order for good cause.

4. On or about June 6, 2011, Licensee and the Board entered into a Consent Order which terminated the temporary limitation and mentoring provisions contained in the Temporary Consent Order based on good cause shown by Licensee.

5. Since entering into the Consent Order, Licensee has practiced medicine at Lawrence Prompt Care, and Occupational Health and Rehabilitation in Lawrence, Kansas.

6. On or about September 8, 2011, Licensee filed a petition to terminate the Consent Order

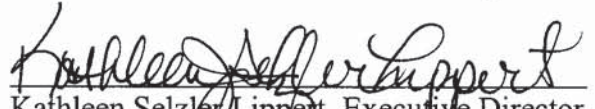
confidential

confidential


9. Based on the evidence presented, the Board finds that termination of the Consent Order is warranted in the circumstances.

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF HEALING ARTS that the Consent Order entered June 6, 2011, is hereby **TERMINATED**.

IT IS SO ORDERED THIS 5th DAY OF JANUARY, 2012, IN THE CITY OF
TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts

Prepared by:


Kelli J. Stevens, #16032
General Counsel

NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service, and 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 Terminating Consent Order** was served this 6 day of January, 2012 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Darin J. Elo, M.D.
confidential
Lawrence, Kansas 66049

Mark W. Stafford
Attorney for Licensee
Holbrook & Osborn
107 S.W. 6th St., Ste. 210
Topeka, Kansas 66603

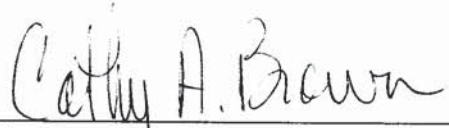
And a copy was hand-delivered to:

Janith A. Lewis, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

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

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