

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

F I L E D

In the Matter of)
)
IMAD FAKHANI, M.D.)
Kansas License # 4-26777)
_____)

JUL 1 1999

Case No. 9800325

**KANSAS STATE BOARD OF
HEALING ARTS**

FINAL ORDER

NOW ON THIS Twelfth Day of June, 1999, comes before the Board a Petition to Revoke, Suspend, or Otherwise Limit Licensure. Stacy L. Cook, Litigation Counsel, appears on behalf of Petitioner. Dr. Fakhani appears in person. After hearing the evidence and having the agency record before it, the Board finds, concludes and orders as follows:

1. Dr. Fakhani was issued a post-graduate training permit on July 1, 1993. This permit was canceled on April 5, 1997, the date his license to practice medicine and surgery was granted. The permit allowed Dr. Fakhani to engage in the practice of the healing arts while he completed his residency training at the University of Kansas Medical Center in Wichita.
2. While in his residency training, Dr. Fakhani was placed on three months of academic probation. This probation began on November 30, 1993, and ended February 25, 1994.
3. Dr. Fakhani applied for a license to practice medicine and surgery on March 16, 1994. The application form questioned whether the applicant had ever been put on probation by a hospital care facility in which the applicant trained. Dr. Fakhani answered no to this question.
4. Dr. Fakhani has been licensed to practice medicine and surgery in the State of Kansas since April 5, 1997.
5. The Board may revoke, suspend or limit a license, or a licensee may be fined, upon

the finding that the licensee has committed fraud or misrepresentation in applying for a license. K.S.A. 1998 Supp. 65-2836(a). A postgraduate permit is a license within the meaning of that statute. K.S.A. 1998 Supp. 65-2837(e).

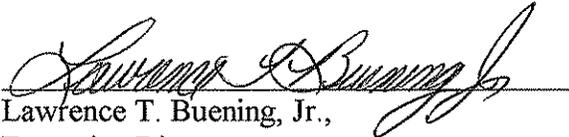
6. The Board concludes that Dr. Fakhani misrepresented material facts in applying for his license. Had the Board been aware of Dr. Fakhani's probation, it is likely he would have received a license, but some limitation upon that license might have been appropriate. There is no evidence that such limitation upon his license is necessary at this time.

IT IS, THEREFORE, ORDERED that Dr. Imad Fakhani is fined \$1000 for committing misrepresentation in applying for a license. The fine is payable within 30 days following service of this order.

PLEASE TAKE NOTE that this is a final order. A final order is effective when served, as indicated by the certificate of service appearing at the end of this order. A party to an agency proceeding may seek review of a final order by filing a petition with the district court. A petition for judicial review is not timely unless filed within 30 days following service of this order. A copy of any petition for judicial review must be served upon Lawrence T. Buening, Jr., Executive Director, at 235 S. Topeka Blvd., Topeka, Kansas 66603.

ORDERED THIS 1st **Day of July, 1999.**

Kansas State Board of Healing Arts


Lawrence T. Buening, Jr.,
Executive Director

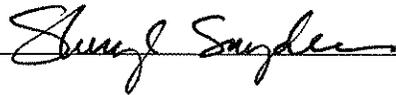
Certificate of Service

I certify that a true copy of the foregoing Final Order was served this 15th day of July, 1999 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Imad A. Fakhani, M.D.
7430 E. 32nd Street N., #1502
Wichita, Kansas 67226

and a copy was hand-delivered to the office of:

Stacy L. Cook
Litigation Counsel
235 S. Topeka Blvd.
Topeka, Kansas 66603

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