

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED

DEC 13 2007

KS State Board of Healing Arts

In the Matter of)
)
BRADLEY FARR, D.C.) Docket No. 08-HA-00033
)
Kansas License No. 01-03839)

FINAL ORDER FOLLOWING CONFERENCE HEARING

NOW, on this 8th day of December, 2007, comes on for conference hearing before the Kansas State Board of Healing Arts (“Board”) the request for retroactive reinstatement of license filed by Bradley Farr, D.C. (“Licensee”). Dan Riley, Associate Counsel, appears for the Board. Licensee appears in person *pro se*.

After reviewing the file, hearing the arguments of Mr. Riley, hearing the testimony of Licensee and being otherwise duly advised in the premises, the Board makes the following findings and orders:

1. Licensee was originally issued license number 01-03839 to practice chiropractic in the state of Kansas on June 19, 1987.
2. Licensee failed to renew his license for the period January 1, 2007 through December 31, 2007, prior to its expiration. Licensee’s license expired December 31, 2006, and was canceled for failure to renew on February 1, 2007.
3. On February 28, 2007, the Board received Licensee’s renewal application. On March 8, 2007, the Board received Licensee’s check and the renewal application was determined to be complete and his license was reinstated effective February 28, 2007.

4. By completion of the Reinstatement of Canceled License form received March 16, 2007, Licensee requested retroactive reinstatement of his license back to January 1, 2007.

5. Licensee states that on February 27, 2007, he found the renewal form and second notice and sent the renewal form. Licensee also states he saw patients on a regular basis before learning that his license had expired and he continued to see patients on a regular basis after learning that his license had expired.

6. On September 25, 2007, the Executive Director of the Board issued a Summary Order approving the Licensee's request for retroactive reinstatement and assessed a civil fine in the amount of \$1,425, computed in accordance with Board Policy Statement No. 04-01 (revised June 18, 2007), payable within 30 days of the effective date of the order.

7. By letter dated October 2, 2007 and filed October 4, 2007, Licensee requested a hearing on the Summary Order within the time for requesting a hearing and, therefore, the Summary Order did not become effective.

8. The Board finds that there are additional mitigating circumstances related to family illness that justify deviation from the fine computed in accordance with Board Policy Statement No. 04-01 (revised June 18, 2007).

9. Licensee's request for retroactive reinstatement of license should be granted and the status of Licensee's license should be modified and retroactively reinstated on active status effective January 1, 2007.

10. For his inadvertence and mistake for practicing chiropractic in the state of Kansas after his license was canceled, Licensee should be assessed a civil fine in the amount of \$750, to be payable within 30 days of the effective date of this order.

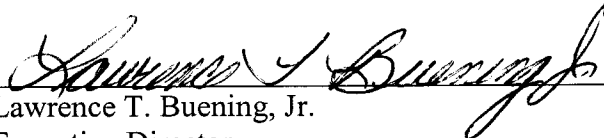
IT IS THEREFORE ORDERED that license number 01-03839 should be retroactively reinstated for the period January 1, 2007 to February 28, 2007, be considered to have been continuously on active status during such period of time, and the records of the Board be modified to reflect such retroactive reinstatement.

IT IS FURTHER ORDERED that Licensee be assessed a civil fine in the amount of \$750, payable within 30 days of the effective date of this order, for his practice of chiropractic in the state of Kansas while his license was canceled.

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 District Court as authorized under the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions, K.S.A. 77-601 *et seq.* A petition for judicial review is not timely unless filed within 30 days following service of the Final Order. A copy of any such petition must be served upon the Board addressed to the Executive Director, 235 S. Topeka Boulevard, Topeka, Kansas 66603. A request for reconsideration is not a prerequisite to judicial review.

DATED this 13th day of December, 2007.

KANSAS STATE BOARD OF HEALING ARTS



Lawrence T. Buening, Jr.
Executive Director

CERTIFICATE OF SERVICE

I, do hereby certify that on the 14th day of December, 2007, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

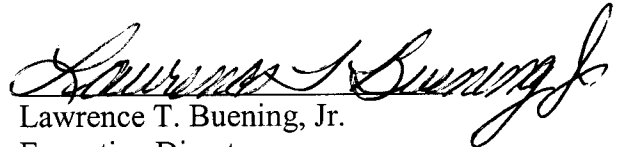
Bradley Farr, D.C.
120 W. 18th Street
Horton, KS 66439

and a copy hand delivered to the offices of:

Dan Riley, Associate Counsel
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, KS 66603

Katy Lenahan, Licensing Administrator
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, KS 66603

and the original filed with the office of the Executive Director.


Lawrence T. Buening, Jr.
Executive Director