

F I L E D

AUG 23 2002

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

**KANSAS STATE BOARD OF
HEALING ARTS**

In the Matter of)
)
MICHAEL ERIC SEAN FELTON, D.C.)
)
License No. 1-04679)

Docket No. 03HA-06

FINAL ORDER FOLLOWING CONFERENCE HEARING

NOW on this 17th day of August, 2002, comes on for conference hearing before the Kansas State Board of Healing Arts (“Board”) the request filed by Michael Eric Sean Felton, D.C. (“Licensee”) to retroactively reinstate his license to practice chiropractic in the state of Kansas to February 1, 2002 and the Petition and Response to Request for Retroactive Reinstatement filed on behalf of the Board.

Licensee appears in person and by his attorney, Allen DeCamp, Shawnee Mission. The Board appears by and through Kelli J. Benintendi, Associate Counsel.

WHEREUPON, the Board heard arguments of counsel, the testimony of Licensee and considered the exhibits presented and admitted.

NOW, THEREFORE, after reviewing the file, hearing statements and arguments of counsel, reviewing the admitted exhibits, hearing the testimony of Licensee and being otherwise duly advised in the premises, the Board finds and orders as follows:

1. Licensee received license #01-04679 to practice chiropractic in the state of Kansas on October 14, 2000, at which time the license was valid and active through December 31, 2001.
2. Licensee’s license was canceled on February 1, 2002, for failure to renew.

3. On March 12, 2002, Licensee submitted an Application for Reinstatement of License and a request that his license be retroactively reinstated back to February 1, 2002, the date it was canceled.

4. Licensee's license to practice was reinstated effective March 12, 2002.

5. On July 26, 2002, the Board, by and through Kelli J. Benintendi, Associate Counsel, filed a disciplinary Petition and Response to Request for Retroactive Reinstatement.

6. Licensee has stipulated to all of the facts set forth in the Petition and Response to Request for Retroactive Reinstatement and paragraphs 1 through 24 of said Petition and Response are made the findings of the Board and incorporated by reference as though fully set forth herein.

7. Licensee has committed violations of the healing arts act as a result of his conduct set forth in the Petition and Response to which he has stipulated.

8. As soon as Licensee became aware of the cancellation of his license, he immediately took steps to have the license reinstated. The conduct described in the Petition that constitutes violations of the healing arts act appears to have been through ignorance, mistake and inadvertence rather than intentional violations.

9. Licensee should be assessed an administrative fine in the amount of \$2500 for the violations of the healing arts act to which he has stipulated, said fine to be paid in full on or before August 31, 2003, with a minimum amount of \$200 to be paid each month with the first such monthly payment being paid on or before September 30, 2002

10. Licensee's license should be retroactively reinstated to February 1, 2002.

IT IS THEREFORE ORDERED that the findings hereinabove made be and the same are hereby made the order of the Board.

IT IS FURTHER ORDERED that Licensee be assessed an administrative fine in the sum of \$2500 for violations of the healing arts act as set forth in paragraphs 1 through 24 of the Petition filed herein, said fine to be paid on the terms and within the time set forth in paragraph 9 above.

IT IS FURTHER ORDERED that Licensee's license no. 01-04679 to practice chiropractic in the state of Kansas be made effective retroactively from and after February 1, 2002

DATED this 23^d day of August, 2002.

KANSAS STATE BOARD OF HEALING ARTS

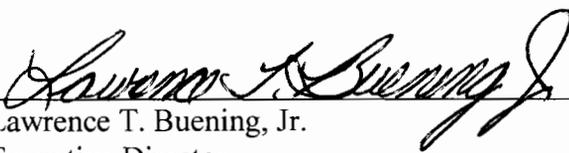


Lawrence T. Buening, Jr.
Executive Director

NOTICE OF RELIEF

This is a Final Order and is effective upon service upon the parties. Any party may, within fifteen (15) days of service file a Petition for Reconsideration. The filing of a Petition for Reconsideration is not a prerequisite for seeking administrative or judicial review.

KANSAS STATE BOARD OF HEALING ARTS



Lawrence T. Buening, Jr.
Executive Director

CERTIFICATE OF SERVICE

I, Lawrence T. Buening, Jr., Executive Director, Kansas State Board of Healing Arts, do hereby certify that on the 26th day of August, 2002, a true and correct copy of the above and foregoing **Final Order Following Conference Hearing** was deposited in the United States mail, postage prepaid, first class to the following:

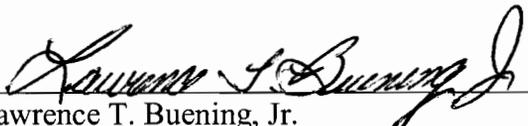
Michael Eric Sean Felton, D.C.
4616 W. 70th Terrace
Prairie Village, Kansas 66208

Allen DeCamp, Esq.
PO Box 3393
Shawnee Mission, Kansas 66203

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

Kelli J. Benintendi, Associate Counsel
and
Charlene K. Abbott, Licensing Administrator
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603

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



Lawrence T. Buening, Jr.
Executive Director
Kansas Board of Healing Arts
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