

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

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OCT 27 2017

KS State Board of Healing Arts

In the Matter of )  
ROBERT H. FLEMING, M.D. )  
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 )  
Kansas License No. 04-24941 )  
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KSBHA Docket No. 16-HA00110

**FINAL ORDER TERMINATING MONITORING**

NOW on this 13th day of October, 2017, comes before the Kansas State Board of Healing Arts (“Board”) the request of Robert H. Fleming, M.D. (“Licensee”) for termination of the monitoring requirement contained in the Consent Order filed on June 24, 2016. Licensee appears in person and *pro se*. Reese Hays, Litigation Counsel appears on behalf of the Respondent Board.

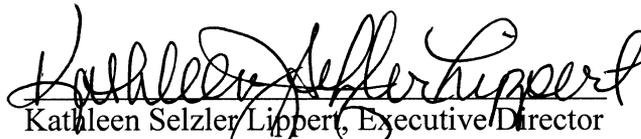
Pursuant to the authority granted to Board by K.S.A. 65-2801 *et seq.*, and in accordance with the provisions of the Kansas Administrative Procedure Act K.S.A. 77-501 *et seq.*, the Board hereby enters this Final Order in the above-captioned matter. After reviewing the agency record, hearing the statements and arguments of the parties, receiving evidence, and being otherwise advised in the premises, the Board makes the following findings, conclusions and order:

1. On July 19, 2017, Licensee submitted a request to the Board for termination of the monitoring provisions contained in the Consent Order.
2. On September 12, 2017, the Respondent Board filed a Response to Petition for Termination of Monitoring.
3. The Board finds that the Licensee has satisfactorily met all requirements of the Consent Order and concludes that termination of the monitoring requirement is warranted in the circumstances.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** that the monitoring requirements imposed by the Consent Order filed on June 24, 2016, are hereby **TERMINATED** and that Licensee shall have no further obligation for compliance.

**IT IS SO ORDERED THIS 26 DAY OF OCTOBER, 2017, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**

**KANSAS STATE BOARD OF HEALING ARTS**

  
Kathleen Selzler Lippert, Executive Director  
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, 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, Executive Director, at 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing **Final Order Terminating Monitoring** was served this 27<sup>th</sup> day of October 2017 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Robert Fleming, MD  
310 W. Central  
Andover, KS 67002

Nicole Caldwell  
Hite Fanning & Honeyman, L.L.P.  
100 North Broadway, Suite 950  
Wichita, KS 67202

And a copy was hand-delivered to:

Reese Hays, Litigation Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

Compliance Coordinator  
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.



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Cathy Brown  
Executive Assistant