

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

KS State Board of Healing Arts

In the Matter of Daniel K. Frye, M.D. Kansas License No. 04-30064))))	Docket No.: 20-HA00035
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**EMERGENCY ORDER OF TEMPORARY SUSPENSION AND
EMERGENCY PROCEEDINGS**

This matter comes before the Presiding Officer on a motion filed on November 20, 2019 (“Motion”) on behalf of the Disciplinary Panel of the Board (“Petitioner”) for an Ex Parte Emergency Order of Suspension of the license of Daniel K. Frye, M.D. (“Licensee”) to practice medicine and surgery and for Emergency Proceedings. The Motion incorporated the Petition for discipline filed on the same date (“Petition”). Upon consideration of the agency record, including all filings and attached exhibits, the presiding officer finds, concludes and orders as follows:

1. Pursuant to K.S.A. 65-2838(c) and K.S.A. 77-536(c), there is reasonable cause to believe that:
 - a. grounds exist for disciplinary action; and
 - b. the immediate continuation in practice by Licensee would constitute an imminent danger to the public health and safety.

2. The cause to believe that grounds exist for disciplinary action and the Licensee’s immediate continuation in practice would constitute an imminent danger to the public health and safety include the following:
 - a. The facts and documentary evidence as set forth and incorporated in the Motion and the Petition, all such facts and documentary evidence

Emergency Order of Suspension

In the Matter of Daniel K. Frye, M.D.; KSBHA Docket No. 20-HA00035

incorporated here by reference subject to the Protective Order that has been entered in this case.

- b. Following a report of a violent altercation involving Licensee, police made contact with Licensee inside a residence. Licensee refused to comply with commands from law enforcement to exit the residence and became combative with law enforcement. He was ultimately subdued with a taser.
- c. On November 21, 2018, Licensee pleaded guilty to one count of criminal damage to property with a domestic violence designation, a class B misdemeanor.
- d. On or about October 16, 2019, Licensee was found guilty of battery, a class B misdemeanor, as the result of a bench trial in the City of Shawnee Municipal Court Case No. CN1900021, resulting from an incident which occurred on January 1, 2019.
- e. After the Board initiated an investigation, Licensee was referred for a Multidisciplinary Forensic Fitness to Practice Evaluation. The evaluation was recently received by the Board. The conclusion of the assessment team was that Licensee is presently unfit to engage in the practice of medicine.

- The Multidisciplinary Forensic Fitness to Practice Evaluation concluded, in most relevant part, that CONFIDENTIAL

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(Emphasis added). (Petition, Exhibit

8, at p. 19).

- During the evaluation, the assessment team spoke with Licensee regarding his disciplinary history with the Board, which includes two Consent Orders, and his criminal and legal history. The assessment team stated, CONFIDENTIAL

Id.

- Additionally, the assessment team noted Licensee CONFIDENTIAL

Id.

- Ultimately,

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Id.

3. The presiding officer further finds that, in addition to the facts and law referenced above, K.S.A. 65-2801, K.S.A. 65-2836, K.S.A. 65-2837, and the policy consideration of the Board's duty of public protection provide supplemental reasonable grounds in law and policy to justify the requested emergency suspension under the circumstances of this case.

4. Therefore, pursuant to K.S.A. 65-2838(c) and K.S.A. 77-536(b), Licensee's license to practice medicine and surgery is immediately temporarily suspended pending further proceedings and/or further Order of the Board.

IT IS, THEREFORE, ORDERED that the Motion is **SUSTAINED**. The license of Daniel K. Frye, M.D. ("Licensee"), is hereby **SUSPENDED** on a temporary basis pending further proceedings and/or further Order of the Board.

IT IS SO ORDERED this 22nd day of November, 2019.

KANSAS STATE BOARD OF HEALING ARTS

/s/ Tucker Poling, KS#23266, for
Robin Durrett, D.O.
Presiding Officer

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing was served this 22 day of November, 2019 by depositing the same in the United States Mail, first-class postage prepaid, and via email addressed to:

Daniel K. Frye, M.D.

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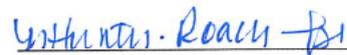
Licensee

A copy was hand delivered to:

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And the original was filed with the office of the Executive Director:

Executive Director
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
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Susan Gile, Operations Manager