

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

In the Matter of	)	
	)	
Daniel K. Frye, M.D.	)	Docket No. 20-HA00035
Kansas License No. 04-30064	)	

**JOINT TEMPORARY ORDER**

This matter comes before the Presiding Officer upon the parties' jointly proposed Temporary Orders. Upon consideration of the Motion, the Presiding Officer finds, concludes and orders as follows:

1. On November 20, 2019, Petitioner filed a Petition alleging Daniel Frye, M.D. ("Licensee") committed violations of the Healing Arts Act and requesting disciplinary action against Licensee's license.

2. On that same date, Petitioner also filed a motion seeking an ex parte temporary suspension of Licensee's license to practice medicine and surgery, pursuant to K.S.A. 77-536 and K.S.A. 65-2838(c).

3. On November 22, 2019, the appointed Presiding Officer granted the Disciplinary Panel's Motion (Petitioner) and issued an Ex Parte Emergency Order of Suspension of Dr. Frye's license to practice medicine and surgery.

4. Subsequently, the Presiding Officer issued a Notice that a Hearing on the Emergency Order of Temporary Suspension would be held on January 6, 2020.

5. Upon Dr. Frye's Motion for a Continuance, which was unopposed by the Petitioner, the hearing was continued and an Amended Notice of Hearing was issued for the hearing to be held on January 24, 2020.

6. Dr. Frye filed another Motion for Continuance, which was unopposed by the Petitioner, to continue the hearing to allow the parties to present a jointly proposed settlement agreement for the Presiding Officer's approval, which would, if approved, moot the necessity of having the Hearing on the Emergency Order of Temporary Suspension.

7. The parties have jointly filed this instant Temporary Orders, in which Licensee agrees to modify his practice in a manner that relieves Petitioner's immediate concerns that his continued practice of medicine will constitute an imminent danger to public health, safety, or welfare.

8. The Presiding Officer grants the jointly proposed Temporary Orders set out below, withdraws the Notice of Hearing on Emergency Order of Temporary Suspension, and a hearing date will be noticed for a formal hearing on the Petition:

**Temporary Orders**

The temporary suspension on Licensee's license to practice medicine and surgery is hereby lifted, but temporarily limited and conditioned upon the following:

- a. Licensee shall not practice any obstetrics and will not perform any surgeries. Licensee's practice shall be limited to general family practice and weight loss at Physician Managed Weight Loss Center, LLC dba PMWC Health.
- b. Licensee will enter into a <sup>AI</sup> CONFIDENTIAL 5 year monitoring contract. Longitudinal treatment will not be part of the monitoring terms at this time. Specific provisions to be included, but not limited to are:
  - i. Consulting with a CONFIDENTIAL and following any treatment plan as may be recommended by CONFIDENTIAL;
  - ii. CONFIDENTIAL ; and
  - iii. CONFIDENTIAL

**IT IS SO ORDERED** the 25th day of February, 2020.

Kansas State Board of Healing Arts

/s/ Tucker Poling, KS#23266, for

\_\_\_\_\_  
Robin Durrett, D.O.  
Presiding Officer

Prepared and Approved by:

      /s/ Diane L. Bellquist        
Diane L. Bellquist, #20969  
Joseph, Hollander & Craft, LLC  
1508 SW Topeka Boulevard  
Topeka, Kansas 66612  
Phone: 785-234-3272  
Fax: 785-234-3610  
dbellquist@josephhollander.com  
*Attorneys for Respondent*

Approved by:

      /s/ Steven M. Lehwald        
Katie Baylie, #27910  
Steven M. Lehwald, #26069  
Associate Litigation Counsels  
Kansas Board of Healing Arts  
800 SW Jackson, Lower Level – Suite A  
Topeka, Kansas 66612  
(785) 296-1479  
(785) 368-8210  
Katie.baylie@ks.gov  
Steven.m.lehwald@ks.gov

## CERTIFICATE OF SERVICE

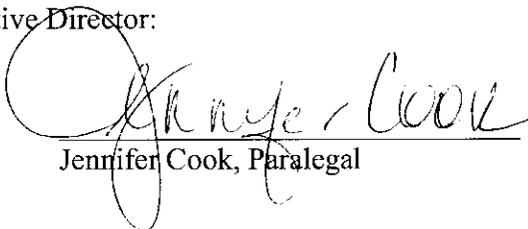
I certify that a true copy of the foregoing **Joint Temporary Order** was served this 25<sup>th</sup> day of February 2020 by depositing the same in the United States Mail, first-class postage prepaid, and via email addressed to:

Diane L. Bellquist  
1508 SW Topeka Boulevard  
Topeka, KS 66612  
dbellquist@josephhollander.com  
*Attorney for Licensee*

A copy was hand delivered to:

Steven M. Lehwald, Associate Litigation Counsel  
J. Todd Hiatt, Litigation Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, KS 66612  
[steven.lehwald@ks.gov](mailto:steven.lehwald@ks.gov)  
[todd.hiatt@ks.gov](mailto:todd.hiatt@ks.gov)

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

  
Jennifer Cook, Paralegal