

**FILED** GAB

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

**KS State Board of Healing Arts**

In the Matter of )  
 )  
S Gaekwad, M.D. )  
License No. 04-26885 )  
\_\_\_\_\_ )

Docket Number: 09-HA00062

**SUMMARY ORDER**

NOW ON THIS 15<sup>th</sup> day of November, 2008, this matter comes before Jack Confer, Acting Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537.

After reviewing the agency record and being duly advised in the premises, the following findings of fact, conclusions of law and order are made for and on behalf of the Board:

1. S Gaekwad, M.D. ("Licensee") was originally issued license number 04-26885 to practice medicine and surgery in the State of Kansas on June 29, 1997.

2. K.S.A. 40-3402 requires each Licensee desiring to renew a Medical Doctor license to maintain a policy of professional liability insurance and K.S.A. 40-3404 requires payment of the premium surcharges.

3. On or about May 29, 2008, Licensee submitted an application for renewal of their license.

4. As part of the renewal process, Licensee certified that the rules regarding professional liability insurance had been read, that compliance had been achieved, and that documentation of the professional liability insurance policy would be maintained for a three-year period and produced to the Board upon request.

5. As part of the renewal process, Licensee further certified that the notice regarding the Board's procedures for auditing professional liability insurance compliance had been read.

6. Licensee was randomly selected to provide verification of compliance with the professional liability insurance requirements and on September 19, 2008, a letter was mailed to Licensee requesting that Licensee provide no later than October 31, 2008, the records relied upon when Licensee certified achievement of the required proof of professional liability insurance.

7. In addition to any other penalty prescribed under the healing arts act, K.S.A. 65-2863a authorizes the Board to assess an administrative fine in an amount not exceeding \$5,000 for the first violation of the healing arts act.

8. Licensee has failed to provide documented evidence of a professional liability insurance policy in accordance with Kansas law by the due date.

9. By failing to provide documented evidence of licensee's malpractice insurance, Licensee has violated K.S.A. 65-2836(r), failing to respond to the Board's legal request for information by the due date.

**IT IS, THEREFORE, ORDERED** that the license of Licensee issued by the Board to practice medicine and surgery in the state of Kansas is hereby fined \$500 for failure to respond to the Board's legal request for information by the due date. The fine is due within thirty days of the effective date of this order.

**PLEASE TAKE NOTICE** that this is a summary order. A party to whom a summary order is issued may file a written request for a hearing within 15 days following service of the summary order. If a hearing is not requested, the summary order shall become effective as a final order of the Board upon expiration of the time for requesting a hearing. A request for a

hearing must be addressed to Jack Confer, Acting Executive Director, 235 South Topeka  
Boulevard, Topeka, Kansas 66603.

**DATED** this 15<sup>th</sup> day of November, 2008.

**KANSAS STATE BOARD OF HEALING ARTS**



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Jack Confer  
Acting Executive Director

**CERTIFICATE OF SERVICE**

I, do hereby certify that on the 12<sup>th</sup> day of November, 2008, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

S Gaekwad, M.D.  
4411 NW Honeysuckle  
Corvallis, OR 97330

and a copy hand delivered to the office of:

Kathleen Selzler Lippert  
Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3068

Katy Lenahan  
Licensing Administrator  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3068

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



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Cathy Brown  
Executive Assistant



**CERTIFICATE OF SERVICE**

I do hereby certify that on the 19<sup>th</sup> day of December, 2008, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

S Gaekwad, MD  
4411 NW Honeysuckle  
Corvallis, OR 97330

and a copy hand delivered to the office of:

Kathleen Selzler Lippert  
Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3068

Katy Lenahan  
Licensing Administrator  
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and the original filed with the office of the Executive Director.

  
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Cathy Brown  
Executive Assistant