

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED

CAB

JUN 24 2005

KS State Board of Healing Arts

In the Matter of)
)
PATRICK GARRETT, D.C.)
Kansas License No. 1-04819)

Docket No. 05-HA-0075

FINAL ORDER FOLLOWING CONFERENCE HEARING

NOW, on this 11th day of June, 2005, comes on for conference hearing before the Kansas State Board of Healing Arts ("Board") the request of Patrick Garrett, D.C. ("Licensee") for retroactive status change. Charlene K. Abbott, Licensing Administrator, and Kelli Benintendi, Associate Counsel, presented information to the Board. Licensee was originally thought not to be present and the Board conducted the proceedings in his absence. Licensee was subsequently determined to be present in the Board's reception area and appeared and was read the minutes of the proceeding that had been conducted. There were no other appearances.

After reviewing the file, hearing the information provided by Ms. Abbott and Ms. Benintendi, and being otherwise duly advised in the premises, the Board makes the following findings and orders:

1. Licensee was originally issued license no. 01-04819 to practice chiropractic in the state of Kansas on April 26, 2003.
2. On January 3, 2005, as part of the renewal process for the license period January 1, 2005 through December 31, 2005, Licensee requested that his license be placed on inactive status.

3. On or about February 8, 2005, Licensee filed an Application for Status Change to change his license from inactive to active status.

4. As part of the Application for Status Change, Licensee provided information pertaining to medical rounds and course work he had performed during 2004.

5. On April 23, 2005, following a conference hearing, the Board approved the course work and rotations completed during 2004 as meeting the continuing education requirements for Licensee to change his licensure status from inactive to active.

6. Had the course work and rotations been approved as acceptable continuing education prior to Licensee's renewal of his license, Licensee would not have renewed his license on inactive status and would have renewed his license on an active status.

7. From the period January 3, 2005 until May 3, 2005, Licensee's license was on inactive status, but Licensee did engage in some limited practice of chiropractic during that period.

8. The status of Licensee's license status should be modified and retroactively placed on active status for the period January 3, 2005 through May 2, 2005.

9. For practicing chiropractic in the state of Kansas while his license was on an inactive status, Licensee should be assessed a civil fine in the amount of \$1,500.

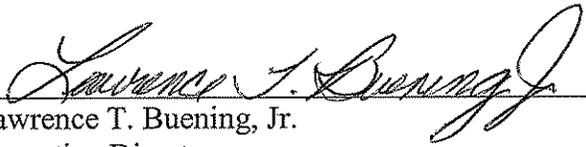
IT IS THEREFORE ORDERED that license number 01-04819 be retroactively placed on active status for the period January 3, 2005 until May 3, 2005, be considered to have been continuously on active status from and since January 3, 2005 and the records of the Board be modified to reflect such retroactive status change.

IT IS FURTHER ORDERED that Licensee be assessed a civil fine in the amount of \$1,500 for his practice of chiropractic in the state of Kansas while his license was on an inactive status.

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service. A party may seek judicial review of a Final Order by filing a petition under the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions, K.S.A. 77-602 *et seq.* A copy of any such petition must be served upon the Board addressed to the Executive Director, 235 S. Topeka Boulevard, Topeka, Kansas 66603. A request for reconsideration is not a prerequisite to judicial review.

DATED this 24th day of June, 2005.

KANSAS STATE BOARD OF HEALING ARTS



Lawrence T. Buening, Jr.
Executive Director

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **FINAL ORDER FOLLOWING CONFERENCE HEARING** was served on the 24th day of June, 2005, by United States mail, first-class postage prepaid and addressed to:

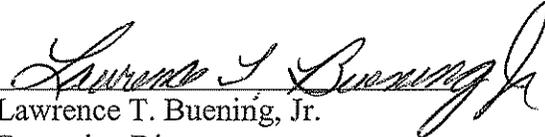
Patrick Garrett, D.C.
224 E. 2nd
Newton, KS 67114

and a copy hand-delivered to the office of:

Charlene K. Abbott, Licensing Administrator
Kansas Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603

Kelli J. Benintendi, Associate Counsel
Kansas Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603

and the original filed with the office of Executive Director.


Lawrence T. Buening, Jr.
Executive Director
Kansas Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603
(785) 296-3680