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CAB

DEC 16 2010

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

KS State Board of Healing Arts

In the Matter of)
Nora Gomez, MD)
)
License No. 04-28297)
_____)

Docket No. 10-HA00109

**JOURNAL ENTRY OF SATISFACTION OF REQUIREMENTS OF CONSENT
ORDER**

Now on this 15th day of December, 2010, this matter comes before the Kansas State Board of Healing Arts (“Board”) upon a motion by Nora P. Gomez concerning satisfaction of all of the requirements contained in the Consent Order entered into by the Board and the Licensee on February 23, 2010. The Board enters Findings of Fact, Policy Reasons and Conclusions of Law as follow:

I. Findings of Fact

The Board has been shown the following facts:

1. Nora P. Gomez (“Licensee”), (confidential) Overland Park, KS 66223, is licensed to practice medicine and surgery in the State of Kansas, License No. 04-28297. Licensee was issued a license on August 14, 1999. Licensee’s license is currently inactive due to a request for status change to inactive status on November 3, 2009.
2. On or about February 23, 2010, Licensee entered into a Consent Order with the Board.
3. The Consent Order was entered into by the Board and Licensee to establish the Licensee’s present ability to practice the healing arts with reasonable skill and safety after she had been absent from practice since 2005.

4. Pursuant to the terms of the Consent Order, Licensee agreed to have a Board approved practice monitor to review the practices and procedures of Licensee to ensure compliance with community and ethical standards. Specifically, the practice monitor would conduct monthly random chart reviews to determine if examinations, evaluations and documentation was being performed.
5. The Consent Order required a minimum of six reports be submitted to the Board, on a quarterly basis, before Licensee could petition for termination of the monitoring requirement.
6. Dr. John L. Crane served as the practice monitor for Licensee and submitted no less than ten (10) patient charts per month along with reports from March, April, May, June, July and August.
7. Licensee also submitted a letter from Dr. Crane stating Licensee has done an excellent job and his belief that no further monitoring is necessary.
8. On September 22, 2010, Licensee requested the monitoring requirements on her license be lifted.

II. Applicable Law

- a. K.S.A. 65-2801 et seq. – The Kansas Healing Arts Act
- b. K.S.A. 77-501 et seq. – The Kansas Administrative Procedure Act

III. Public Policy Statement

The public policy of regulating the practice of healing arts in the State of Kansas is set forth in K.S.A. 65-2801:

Recognizing that the practice of the healing arts is a privilege granted by legislative authority and is not a natural right of individuals, it is deemed necessary as a matter of policy in the interests of public health, safety and welfare, to provide laws and provisions covering the granting of that privilege and its subsequent use, control and regulation to the end that the public shall be properly protected against unprofessional, improper, unauthorized and unqualified practice

Journal Entry of Satisfaction of Requirements of Consent Order

Dr. Nora Gomez, MD

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of the healing arts and from unprofessional conduct by persons licensed to practice under this act.

IV. Conclusions of Law

Based upon the Findings of Fact enumerated in Paragraphs #1 through #8, the Applicable Law and the Public Policy Statement set forth above:


THE BOARD HEREBY CONCLUDES AS FOLLOWS:

9. Licensee entered into a Consent Order on February 23, 2010 to establish Licensee's ability to practice the healing arts with reasonable skill and safety after being absent from practice since 2005.
10. Licensee submitted documentation as required by the Consent Order and documentation in support of the removal of the conditions of the Consent Order from her practice monitor.
11. On September 22, 2010, Licensee submitted a request to have the Consent Order terminated.
12. The terms of the Consent Order are not self-terminating.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS:

13. The Licensee has satisfied all of the requirements of the February 23, 2010, Consent Order and has no further obligation for compliance.
14. The Board shall maintain jurisdiction over this matter to issue any Order(s) deemed necessary and appropriate.

IT IS SO ORDERED THIS 15 DAY OF Dec, 2010, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


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. 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, the Board's Executive Director, at 235 SW Topeka Blvd., Topeka, KS 66603.

CERTIFICATE OF SERVICE

I, hereby certify that a true copy of the foregoing Journal Entry of Satisfaction of Requirements of Consent Order was served this 16th day of December, 2010 by depositing the same in the United States Mail, first-class postage prepaid and addressed to:

Nora P. Gomez, MD
(confidential)
Overland Park, KS 66223

And a copy was hand delivered to the office of:

Stacy Bond
Associate Litigation Counsel
Kansas State Board of Healing Arts
235 SW Topeka Blvd.
Topeka, Kansas 66603

Katy Lenahan
Licensing Administrator
Kansas State Board of Healing Arts
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The original filed with:

Kathleen Selzler Lippert, Executive Director
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Cathy Brown
Executive Assistant