

EFFECTIVE AS A FINAL ORDER

FILED

DATE: 3/31/2020

MAR 10 2020

KS State Board of Healing Arts

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

In the Matter of

Jason A. Goza, D.C.
Application for License to
Practice Chiropractic

Docket No. 20-HA 00077

SUMMARY ORDER

NOW ON THIS 10th day of March 2020, this matter comes before Tucker L. Poling, Interim Executive Director and General Counsel, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537.

Pursuant to K.S.A. 77-537 and K.S.A. 77-542, this Summary Order shall become effective as a Final Order, without further notice, if no written request for a hearing is made within 15 days of service. Upon review of 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:

Findings of Fact

1. Jason A. Goza, D.C. ("Applicant") applied for an original license to practice chiropractic on or about September 12, 2019.
2. Applicant's last known mailing address to the Board is: **CONFIDENTIAL**
CONFIDENTIAL
3. The factual basis for this Order is as follows:
 - a. Applicant's initial application required Applicant to answer the following question:
"Have you ever been arrested? Do not include minor traffic or parking violations or citations except those related to a DUI, DWI or a similar charge. You must include

**Summary Order
Jason A. Goza, D.C.**

all arrests including those that have been set aside, dismissed or expunged or where a stay of execution has been issued." Applicant answered "No" to this question.

- b. Applicant's initial application also required Applicant to answer the following question: "Have you ever been charged with a crime, indicted, convicted of a crime, imprisoned, or placed on probation (a crime includes both Class A misdemeanors and felonies)? You must include all convictions including those that have been set aside, dismissed or expunged or where a stay of execution has been issued." Applicant answered "No" to this question.
- c. Applicant provided no legal documentation regarding any arrests or criminal charges in conjunction with his application despite being specifically required to do so.
- d. On or about July 22, 2003, Applicant's vehicle was pulled over by a member of the Wichita (Kansas) Police Department for expired license tags. During the stop it was discovered Applicant had no proof of insurance, his drivers' license had been suspended, and he had outstanding warrants in Sedgwick County. He was arrested at that time.
- e. On or about September 19, 2003, Applicant was again arrested by the Wichita (Kansas) Police Department following a vehicle accident, and again charged with driving while suspended, driving with expired license tags, driving without proof of insurance, and with inattentive driving.
- f. On or about January 7, 2004, pled guilty to driving without motor vehicle liability insurance coverage, a Class A misdemeanor.

- g. On or about July 1, 2007, Applicant's vehicle was pulled over by a Sedgwick County (Kansas) deputy sheriff after an improper lane change. The deputy discovered Applicant's license had been revoked as a habitual violator, and that there was an outstanding warrant for failure to appear on other charges. Applicant was again arrested.
- h. On or about January 10, 2008, Applicant pled guilty to driving without a seatbelt and to operation of a motor vehicle while his driving privileges were revoked as a habitual violator. This latter charge is a Class A misdemeanor.

Applicable Law

4. Under K.S.A. § 65-2836 of the Kansas Healing Arts Act:

A licensee's license may be revoked, suspended or limited, or the licensee may be publicly censured or placed under probationary conditions, or an application for a license or for reinstatement of a license may be denied upon a finding of the existence of any of the following grounds:

- (a) The licensee has committed fraud or misrepresentation in applying for or securing an original, renewal or reinstated license;
.....
- (c) The licensee has been convicted of a felony or class A misdemeanor, or substantially similar offense in another jurisdiction, whether or not related to the practice of the healing arts
.....
- (r) The licensee has failed to furnish the board, or its investigators or representatives, any information legally requested by the board

Conclusions of Law

5. The Board has jurisdiction over Applicant as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

6. The Board finds that Applicant violated K.S.A. 65-2836(a) by committing fraud or misrepresentation in applying for or securing an original license by failing to disclose his criminal and arrest history on his original application for licensure.

7. The Board finds that Applicant violated K.S.A. 65-2836(c) by being convicted of a Class A misdemeanor on two occasions.

8. The Board finds that Applicant violated K.S.A. 65-2836(r) by failing to furnish the board, or its investigators or representatives, any information legally requested by the board; specifically, by failing to disclose his criminal and arrest history on his original application for licensure.

9. Based on the facts and circumstances set forth herein, the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings does not violate any provision of law, and the protection of the public interest does not require the Board to give notice and opportunity to participate to persons other than Applicant.

IT IS, THEREFORE, ORDERED that Applicant is **PUBLICLY CENSURED** for violating K.S.A. 65-2836(a), K.S.A. 65-2836(c), and K.S.A. 65-2836(r) of the Kansas Healing Arts Act.

IT IS FURTHER ORDERED that Applicant be granted an Active license immediately upon the date this order becomes effective as a Final Order.

IT IS FURTHER ORDERED that all correspondence or communication between Applicant and the Board relating to the Summary Order shall be by certified mail addressed to:


Summary Order
Jason A. Goza, D.C.

Kansas State Board of Healing Arts
Attn: Compliance Coordinator
800 SW Jackson, Lower Level-Suite A,
Topeka, Kansas 66612.
KSBHA_compliancecoordinator@ks.gov

PLEASE TAKE NOTICE that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

Dated this 10th day of March 2020.

**KANSAS STATE BOARD
OF HEALING ARTS**



Tucker L. Poling
Interim Executive Director
General Counsel

FINAL ORDER 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 Tucker L. Poling, Interim Executive Director, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing **FINAL ORDER** was served this 31st day of March 2020 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Jason A. Goza, DC
CONFIDENTIAL

Licensee

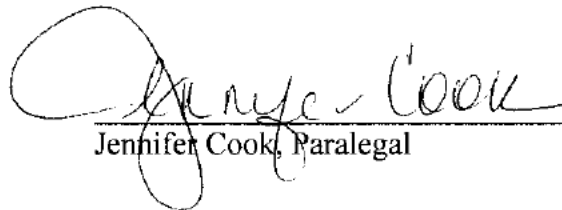
And a copy was hand-delivered to:

Matthew Gaus, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Office of the General Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

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



Jennifer Cook, Paralegal