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JUN 29 2010

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

KS State Board of Healing Arts

In the Matter of)
William D. Harris, P.A.)
License No. 15-00138)
_____)

Docket No. 07-HA00008

FINAL ORDER
(Pursuant to K.S.A. 77-501 et seq.)

Pursuant to the authority granted to the Kansas State Board of Healing Arts (“Board”) by K.S.A. 65-2801 et seq. and in accordance with the provisions of the Kansas Administrative Procedure Act K.S.A. 77-501 et seq., the Board hereby enters this Final Order in the above-captioned matter. Members of the Board serving on the Disciplinary Panel for this matter were recused from participation.

I. Findings of Fact

The Board has been shown the following facts:

1. William D. Harris (“Licensee”), 19008 J Road, Meade, KS 67864, is licensed as a Physician Assistant (“PA”) in the State of Kansas, License No. 15-00138, and has been so licensed since April 16, 1980.
2. On or about February 16, 2006, Licensee entered into a Consent Order with the Board (Docket No. 06-HA00073) which placed limitations on Licensee’s license with respect to his supervision and prescribing. Specifically, Licensee was required to have direct physician supervision from a physician located on-site of his practice location.
3. On or about July 31, 2006, Licensee filed a Petition with the Board requesting his license status be changed to active.

4. On or about September 6, 2006, a Final Order was issued by the Board granting Licensee active status with specific conditions and limitations similar to those set forth in the Consent Order of February 16, 2006.
5. Included in the condition was the requirement that Licensee shall not actively practice as a PA unless he is directly supervised by a physician on-site. Further, the Licensee was prohibited from practicing at any location where the supervising physician was at a remote site.
6. On or about April 1, 2010, Licensee filed a request to revise the limitation regarding direct supervision by a physician on-site due to the fact clinical staff at his site of practice was shorthanded.
7. Licensee's supervising physicians have reported to the Board that, to their knowledge, Licensee has complied with the limitations on his license with respect to supervision and prescribing.
- 8.

(confidential)

II. Applicable Law

K.S.A. 65-28a05 states, in pertinent part:

“A licensee’s license may be revoked, suspended, or limited, or the licensee may be publicly or privately censured, or an application for a license or for reinstatement of a license may be denied upon the finding of the existence of any of the following grounds...”

See Also K.S.A. 65-28a01 et seq.; K.S.A. 65-2801 et seq.

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 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. The monitoring and limitations as set forth in the Consent Order entered into on February 16, 2006 are not self-terminating.
10. Documentation provided to the Board by Licensee's supervising physicians' state that Licensee has complied with the limitations on his license with respect to supervision and monitoring as set forth in the Consent Order entered into on February 16, 2006.

11.

(confidential)

12. The Board Disciplinary Panel does not object to the termination of the direct physician supervision requirement as requested by Licensee.

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

13. The direct physician supervision requirement upon Licensee's practice as a PA as set forth in the February 16, 2006 Consent Order is hereby **TERMINATED.**
14. All requirements upon Licensee previously set forth in Orders issued in this matter remain in full force and effect.
15. The Board shall maintain jurisdiction over this matter to issue any Order(s) deemed necessary and appropriate.

IT IS SO ORDERED THIS 28 DAY OF June, 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 Final Order was served this 29th day of June, 2010 by depositing the same in the United States Mail, first-class postage prepaid and addressed to:

William Duane Harris
19008 J. Road
Meade, KS 67864

And a copy was hand delivered to the office of:

Kelli J. Stevens
Litigation Counsel
Kansas State Board of Healing Arts
235 SW Topeka Blvd.
Topeka, Kansas 66603

The original filed with:

Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts
235 SW Topeka Blvd.
Topeka, KS 66603



Cathy Brown
Executive Assistant