

BEFORE THE KANSAS STATE BOARD OF HEALING ARTS

In the Matter of
THOMAS S. HARVEY, M.D.
Kansas License Number 16486

ENFORCEMENT ORDER

NOW, on this 15th day of February, 1989, this matter comes before the Board as a result of a Stipulation having been entered into between the Board and the above-named licensee.

The Kansas State Board of Healing Arts is represented by its Disciplinary Counsel, Joseph M. Furjanic. There are no other appearances.

After examining the file, hearing the statements of counsel and being otherwise duly advised in the premises, the Board finds as follows:

1. That, Licensee shall give the Board at least 90 days notice prior to practicing medicine and surgery in the State of Kansas.

2. That, as long as Licensee remains in strict compliance with the terms and conditions of this Stipulation, no formal adjudicative proceedings will be initiated against Licensee based upon the aforementioned terms and conditions of this Stipulation.

3. That, it is further agreed and understood that the provisions of this Stipulation are to be strictly construed and adhered to.

4. That, this Stipulation shall remain in full force and effect until modified, amended, or rescinded by the parties hereto.

NOW, THEREFORE, it is ordered by the Board that the findings hereinabove made be and the same are hereby made the order of the Board, the Stipulation attached hereto is hereby approved and Licensee is ordered and directed to comply with all provisions thereof.

KANSAS STATE BOARD OF HEALING ARTS



Richard G. Gannon, Executive Director

Prepared and approved by
Joseph M. Furjanic
Disciplinary Counsel
Kansas State Board of Healing Arts
900 S.W. Jackson, Suite 553
Topeka, Kansas 66612

STIPULATION

THIS AGREEMENT made and entered into this 11th day of February, 1989, by and between the **KANSAS STATE BOARD OF HEALING ARTS**, (hereinafter referred to as "Board") and **THOMAS S. HARVEY, M.D.** (hereinafter referred to as "Licensee").

WITNESSETH:

WHEREAS, Licensee is currently licensed to practice medicine and surgery in the State of Kansas and holds license number 16486; and

WHEREAS, Licensee ^{allegedly} failed to adequately treat a hospitalized patient who had suffered a myocardial infarction; and

WHEREAS, Licensee, while on duty as the emergency room physician, ^{allegedly} ineffectively managed a "Code Blue" situation; and

WHEREAS, the Disciplinary Counsel and the Executive Director of the Board reviewed documents and other material relating to those incidents which revealed matters which could result in the revocation, suspension, or limitation of Licensee's license to practice medicine and surgery in the State of Kansas, pursuant to K.S.A. 1987 Supp. 65-2836 through 65-2844 and amendments thereto; and

WHEREAS, in lieu of the prosecution of formal charges at a hearing, the parties mutually desire to enter into a formal Stipulation.

NOW THEREFORE, in consideration of the forbearance of a formal hearing and other covenants and promises contained herein, the parties hereto agree as follows:

1. That, Licensee shall give the Board at least 90 days notice prior to practicing medicine and surgery in the State of Kansas.

2. That, as long as Licensee remains in strict compliance with the terms and conditions of this Stipulation, no formal adjudicative proceedings will be initiated against Licensee based upon the aforementioned terms and conditions of this Stipulation. Any violation of any of the terms by the Licensee shall be prima facie evidence that a violation of the Healing Arts Act has

occurred for which the Board may suspend, revoke, or limit the license of the Licensee.

3. That, it is further agreed and understood that the provisions of this Stipulation are to be strictly construed and adhered to. This Stipulation constitutes the entire agreement between the parties and there are no other agreements and understandings not set forth herein. This Stipulation may be modified or amended by written instrument only and signed by the parties hereto.

4. That, this Stipulation shall remain in full force and effect until modified, amended, or rescinded by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Stipulation on the date indicated below their signature, it being strictly understood that the effective date of this Stipulation will be the date it has been signed by both parties hereto.

IT IS SO ORDERED.

KANSAS STATE BOARD OF HEALING ARTS


RICHARD G. GANNON, Executive Director

2-11-89
Date

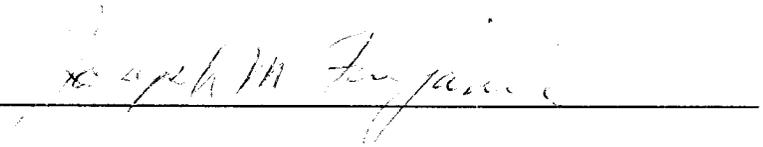
Thomas S. Harvey M.D.
THOMAS S. HARVEY, M.D.

Feb 3, 1989
Date

Prepared by:
Joseph M. Furjanic, Disciplinary Counsel
Kansas State Board of Healing Arts
109 SW 9th Street, Suite 553
Topeka, Kansas 66612
(913) 296-7413

CERTIFICATE OF SERVICE

I, Joseph M. Furjanic, Disciplinary Counsel, Kansas State Board of Healing Arts, hereby certify that I served the above Stipulation to Thomas M. Harvey, M.D., Box 1782, Kingsmountain, North Carolina 28086 by certified mail (P 918 898 351) on this 30th day of January, 1989.


Joseph M. Furjanic