FILED
JAN 17 2013
KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of	)	
BENJAMIN HENNING, D.C.	)	
	)	**KSBHA Docket No. 12-HA00100**
Kansas License No. 01-05490	)	
	)	

FINAL ORDER TERMINATING CONSENT ORDER

NOW on this 17th day of January, 2013, comes before the Presiding Officer, Ray N. Conley, D.C., the request of Benjamin Henning, D.C. ("Licensee") for termination of the Consent Order filed in this matter on June 14, 2012. In accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, and upon due consideration of the agency record and applicable statutes, and being otherwise duly advised in the premises, the Presiding Officeer makes the following determinations:

1. Licensee is licensed to practice chiropractic in the State of Kansas, having been issued License No. 01-05490 on approximately June 22, 2012.

2. On or about June 4, 2012, Licensee entered into a Consent Order with the Board as a condition to being granted a license to chiropractic in the State of Kansas, due to the length of time Licensee had been absent from the active practice of chiropractic. The Consent Order was filed with the Board on June 14, 2012.

3. Under the terms of the Consent Order, Licensee agreed to have his practice of chiropractic supervised and monitored by another Kansas-licensed chiropractor who was approved by the Board. Additionally, quarterly reports of the supervision and monitoring were required to be submitted to the Board.

4. Board staff received all required reports and such reports indicated that Licensee was in full compliance throughout the reporting timeframe.

5. On or about November 14, 2012, Licensee requested termination of his Consent Order.

6. On December 28, 2012, the Respondent Board filed a Response to Licensee's request in support of termination.

7. The Presiding Officer finds that Licensee has demonstrated full compliance and satisfaction with the requirements of the Consent Order and that termination is warranted in the circumstances.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that the Consent Order filed June 14, 2012, in this matter is hereby TERMINATED and Licensee shall have no further obligation for compliance.

IT IS SO ORDERED THIS 17th DAY OF JANUARY, 2013, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.

Ray N. Conley, D.C. by KGS

Ray N. Conley, D.C., Presiding Officer
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, and service of a Final Order is complete upon mailing. Pursuant to K.S.A. 77-529, Licensee may petition the Board for Reconsideration of a Final Order within fifteen (15) days following service of the final order. Additionally, 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, Executive Director, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, Kansas 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing **FINAL ORDER TERMINATING CONSENT ORDER** was served this 17th day of January, 2013, by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Benjamin A. Henning, D.C.
9337 West 75th Street
Overland Park, Kansas 66204

And a copy was hand-delivered to:

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

Melissa Massey, Compliance Coordinator
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:

Kathleen Selzler Lippert
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Cathy A. Brown

Cathy Brown, Executive Assistant