



**FILED**

*CAB*

JAN 18 2013

K.S. State Board of Healing Arts

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

**In the Matter of** )  
 )  
**John H. Hicks, III, M.D.** )  
**Application for License to Practice** )  
**Medicine and Surgery** )  
\_\_\_\_\_ )

**KSBHA Docket No. 13-HA00030**

**FINAL ORDER GRANTING WITHDRAWAL OF APPLICATION**

NOW on this 18<sup>th</sup> day of January 2013, the Kansas State Board of Healing Arts (“Board”) by and through its Executive Director, Kathleen Selzler Lippert, a duly authorized Representative of the Board, in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, and upon due consideration of the file and applicable statutes, and being otherwise duly advised in the premises makes the following determination upon Applicant’s Request to Withdraw Application for Licensure, filed in the matter on November 27, 2012:

1. On or about April 25, 2012, Applicant submitted an application for a license by endorsement to practice medicine and surgery in the State of Kansas. Such application was deemed complete and filed with the Board on November 13, 2012.
2. On November 13, 2012, counsel for the Board filed a Response in Opposition to Applicant’s application for licensure to practice medicine and surgery.
3. On November 14, 2012, the Board issued a Notice of Prehearing Conference to Applicant. The Notice of Prehearing Conference informed Applicant that a

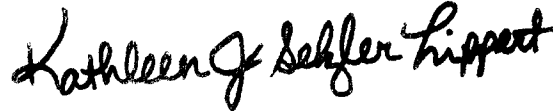
Conference Hearing had been scheduled for Friday, December 7, 2012, at 10:00 a.m. and that he was requested to appear in person.

4. On November 19, 2012, counsel for the Board received a letter from Applicant, dated November 16, 2012, stating, "I appreciate the board's time and consideration. I will not be present Friday, December 7, 2012. I am officially withdrawing my application for a medical license in the state of Kansas."
5. On November 27, 2012, Respondent filed a Response in Opposition to Applicant's Request to Withdraw his Application for Licensure.
6. On or about December 5, 2012, Applicant, through his attorney, filed a Request for Continuance, seeking to continue the case until the next regularly scheduled Board meeting in February 2013.
7. On or about December 21, 2012, an Order of Continuance was issued, notifying the parties that the conference hearing scheduled for the December 7, 2012, Board meeting had been continued until February 8, 2013, at a time to be determined later.
8. On January 11, 2013 Respondent withdrew its objection to Applicant's Request to Withdraw his Application for Licensure in Kansas.
9. The Board finds that because Respondent no longer objects to Applicant's request to withdraw his application for licensure to practice medicine and surgery in Kansas, it is appropriate to allow Applicant to withdraw his application.

**IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF HEALING ARTS,** that Applicant's request to withdraw from consideration his

application for licensure to practice medicine and surgery in the State of Kansas is hereby granted.

**IT IS SO ORDERED** this 18<sup>th</sup> day of January, 2013, in the city of Topeka, County of Shawnee, State of Kansas.



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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, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing Final Order was served by depositing the same in the United States mail, first-class postage prepaid, this 18<sup>th</sup> day of January, 2013, and addressed to:

John Hicks, M.D.  
5411 State Rd. 50  
Delavan, WI 53115

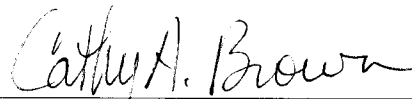
Michael M. Krill, Esq.  
Attorney for Applicant  
735 N. Water Street Suite 510  
Milwaukee, WI 53202

Thomas Clinkenbeard, Esq.  
Attorney for Applicant  
Evans & Dixon, LLC  
1100 Main Street Suite 2000  
Kansas City, MO 64105-5719

And a copy hand delivered to the office of:

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

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



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Cathy Brown  
Executive Assistant