

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

FILED *RW*
MAR 29 2019

KS State Board of Healing Arts

In the Matter of)
REBECCA S. HIERHOLZER, M.D.)
)
Kansas License No. 04-20017)
_____)

Docket No. 19-HA00073

**EMERGENCY ORDER OF SUSPENSION AND
EMERGENCY PROCEEDINGS**

On March 29, 2019, this matter comes before the Presiding Officer on a motion filed on March 26, 2019 (“Motion”) on behalf of the Disciplinary Panel of the Board (“Petitioner”) for an Ex Parte Emergency Order of Suspension and for Emergency Proceedings. Upon consideration of the agency record, including all filings and attached exhibits, the presiding officer finds, concludes and orders as follows:

1. Pursuant to K.S.A. 65-2838(c) and K.S.A. 77-536(c), that there is reasonable cause to believe that:
 - a. grounds exist for disciplinary action; and
 - b. the immediate continuation in practice by Rebecca S. Hierholzer, M.D. (“Licensee”) would constitute an imminent danger to the public health and safety.

2. The cause to believe that grounds exist for disciplinary action and the Licensee’s immediate continuation in practice would constitute an imminent danger to the public health and safety include the following:
 - a. The facts and documentary evidence as set forth and incorporated in the Motion and the Petition filed on March 26, 2019, all such facts and documentary evidence incorporated here by reference subject to the Protective Order that has been entered in this case.

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- b. The CPEP assessment report concluded that Licensee did not demonstrate the ability to remain in her current practice at this time and identified numerous deficiencies that, in the judgment of the presiding officer, could immediately impact patient safety;
- c. The contents of the CPEP report demonstrate to the presiding officer that the duty to protect immediate patient safety requires that Licensee be immediately temporarily suspended pending further proceedings.

3. The presiding officer further finds that, in addition to the facts and law referenced above, K.S.A. 65-2801, K.S.A. 65-2836, K.S.A. 65-2837, and the policy consideration of the Board's duty of public protection provide reasonable grounds in law and policy to justify the requested emergency suspension.

4. Therefore, pursuant to K.S.A. 65-2838(c) and K.S.A. 77-536(b), Licensee's license to practice medicine and surgery is immediately temporarily suspended pending further proceedings and/or further Order of the Board.

5. A notice of expedited hearing to determine whether the temporary suspension shall remain in place is filed and served contemporaneously herewith. If any party believes a different date or time should be designated for the expedited hearing, the party should notify the presiding officer immediately as described in the notice.

IT IS, THEREFORE, ORDERED that the license of Rebecca S. Hierholzer, M.D., is hereby **IMMEDIATELY SUSPENDED** as described above on a temporary basis pending a hearing to determine if there is adequate cause for the suspension to remain in effect.

IT IS SO ORDERED this 29th day of March, 2019.

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/s/ Tucker Poling, KS#23266, for
Robin Durrett, D.O.
Presiding Officer

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing Order was served this 29th day of March, 2019
by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Rebecca S. Hierholzer, MD
[REDACTED]
Leawood, KS 66206
rhierholzer@yahoo.com
Licensee

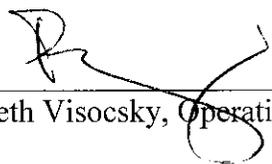
And copies were hand-delivered to:

M. Katie Baylie, Associate Litigation Counsel
J. Todd Hiatt, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson Lower Level, Ste A
Topeka, KS 66612

And a copy was given to:

Robin Durrett, D.O.
KSBHA Presiding Officer
Kansas State Board of Healing Arts

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



Beth Visocsky, Operations Manager

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