

MAR 27 2012

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

KS State Board of Healing Arts

*In the Matter of*BRADLEY J. HILL, P.A.  
Kansas License No. 15-00786)  
)  
)  
)

Docket No.: 12-HA00067

**EX PARTE EMERGENCY ORDER OF TEMPORARY SUSPENSION OF LICENSE  
AND PROTECTIVE ORDER**

NOW on this 27<sup>th</sup> day of March 2012, this matter comes before Nancy J. Welsh, M.D., Presiding Officer, upon a Motion for *Ex Parte* Emergency Order of Suspension. On March 26, 2012, Associate Litigation Counsel Jessica A. Bryson ("Petitioner") filed a Motion for *Ex Parte* Emergency Order of Suspension and Emergency Proceedings. There are no other appearances.

The Presiding Officer has reviewed the agency file in Kansas Board of Healing Arts Docket No. 12-HA00067. The Presiding Officer finds, concludes and orders as follows:

1. This is a Motion for an order pursuant to K.S.A. 65-28a12 and 77-536. Under those statutes, the Presiding Officer may issue an order without notice and hearing, and may temporarily limit or suspend a license if the Presiding Officer finds an immediate danger to the public health, safety, or welfare requiring immediate state agency action.
2. The Presiding Officer has received and reviewed the Motion for an *Ex Parte* Order of Suspension of Licensee license's which was filed with the Board on March 26, 2012. The Motion requests an emergency suspension of Licensee's license.
3. The Motion for *Ex Parte* Emergency Order of Suspension in the above captioned case alleges that Bradley J. Hill, P.A. ("Licensee") is in violation of the Physician Assistant Licensure Act pursuant to:

- a. K.S.A. 65-28a05(a), as further defined by K.A.R. 100-28a-8(g) in that he has the inability to practice as a physician's assistant with reasonable skill and safety

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- b. K.S.A. 65-28a05(a), as further defined by K.A.R. 100-28a-7(c), in that Licensee has engaged in behavior that demonstrates a manifest incapacity or incompetence to perform professional services as a physician assistant.

- c. K.S.A. 65-28a05(a), as further defined by K.A.R. 100-28a-8(r) in that he has committed conduct likely to deceive, defraud or harm the public.

4. The Motion for *Ex Parte* Emergency Order of Suspension in the above captioned case incorporates the Petition filed in KSBHA Docket number 12-HA00067 and includes

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Exhibit B which is an affidavit from Steven C. French, Special Investigator II for the Board, and Exhibit C which is Licensee's 2012 Renewal Application.

### **FINDINGS**

5. Bradley J. Hill's ("Licensee") last known mailing address to the Board is:

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Great Bend, Kansas 67530.

6. Licensee is or has been entitled to practice as a Physician's Assistant in the State of Kansas, having been issued License No. 15-00786 on approximately December 8, 2001, and having last renewed such license on approximately December 30, 2011.

7. At all times relevant to the allegations set forth in the Motion, Licensee has held a current and active license to practice as a physician assistant in the State of Kansas.

8. Licensee presently has an active and unrestricted license to practice as a physician assistant in the State of Kansas.
9. The Presiding Officer finds that the evidence presented in Exhibits A, B and C demonstrates that Licensee is presently unsafe to practice as a physician assistant.
10. The Presiding Officer finds that the present unrestricted status of Licensee's license constitutes an immediate danger to the public health, safety, or welfare, due to Licensee's inability to practice as a physician assistant with reasonable skill and safety to patients  
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### CONCLUSIONS

11. Pursuant to K.S.A. 65-28a05, the Board has grounds to revoke, suspend, censure, fine or otherwise limit Licensee's license for violation of the Physician Assistant Licensure Act.
12. Pursuant to K.S.A. 77-536, the Board has the authority to temporarily suspend Licensee's license as the present unrestricted status of his license constitutes a situation involving immediate danger to the public health, safety or welfare requiring immediate state agency action.
13. The Presiding Officer concludes that there is cause to believe that Licensee has violated K.S.A. 65-28a05(a), further defined by K.A.R. defined by K.A.R. 100-28a-8(g), in that Licensee has the inability to practice as a physician assistant arts with reasonable skill and safety to patients  
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14. The Presiding Officer concludes there is cause to believe that Licensee has violated K.S.A. 65-28a05(a), as further defined by K.A.R. 100-28a-8(r), in that Licensee has committed conduct likely to deceive, defraud or harm the public in violation of the Kansas Healing Arts Act.
15. The Presiding Officer concludes that there is cause to believe that Licensee has violated K.S.A. 65-28a05(a), as further defined by K.A.R. 100-28a-7(c), in that Licensee has engaged in behavior that demonstrates a manifest incapacity or incompetence to perform professional services as a physician assistant.
16. The Presiding Officer concludes that Licensee's continuation in practice would constitute an immediate danger to the public health, safety or welfare.
17. The Presiding Officer further concludes that Licensee's license to practice as a physician assistant should be immediately suspended until such time as further hearing proceedings can be held.

**IT IS THEREFORE ORDERED** that Licensee's license is hereby immediately SUSPENDED on a temporary basis pending further hearing proceedings.

**IT IS FURTHER ORDERED** that board counsel shall serve this order in the manner provided by law and shall complete and file a proof of service.

**IT IS FURTHER ORDERED** that a Protective Order is hereby issued to protect all information which is confidential pursuant to confidential  
K.S.A. 65-2839a(d), and K.S.A. 65-2898a.

**IT IS SO ORDERED THIS 27<sup>th</sup> DAY OF MARCH, 2012, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**

**KANSAS STATE BOARD OF HEALING ARTS**

Nancy J. Welsh, M.D. by KJS  
Nancy J. Welsh, M.D., Presiding Officer

Prepared by:

Kelli J. Stevens  
Kelli J. Stevens, #16032  
General Counsel

**PLEASE TAKE NOTICE** that a hearing on this matter will be scheduled as soon as practicable at the Board office, 800 SW Jackson, Lower Level-Suite A, Topeka, Kansas 66612. The issue to be determined is whether the Emergency Order of Temporary Suspension of License should remain in place, be modified or terminated. A Notice of Hearing will be issued.

**PLEASE TAKE NOTICE** that this is an emergency order. An emergency order is effective when rendered. A party to an agency proceeding may seek judicial review of an emergency order by filing a petition in the District Court as authorized by K.S.A. 77-601, *et seq.* A petition for judicial review is not timely unless filed within 30 days following service of the order. A copy of any petition for judicial review must be served upon Board's Executive Director at 800 SW Jackson, Lower Level-Suite A, Topeka, Kansas 66612.

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I served a true and correct copy of the *Ex Parte*  
**Emergency Order of Temporary Suspension** by United States mail, postage prepaid, on this  
27<sup>th</sup> day of March, 2012, to the following:

Bradley J. Hill, P.A.  
confidential  
Great Bend, Kansas 67530

And a copy was hand-delivered to:

Katy Lenahan  
Licensing Administrator  
Kansas State Board of Healing Arts  
800 SW Jackson  
Lower Level-Suite A  
Topeka, Kansas 66612

And the original was filed with:

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

