

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

In the Matter of)
Jose Hinojosa, MD)
)
Kansas License No. 04-36883)
 _____)

KSBHA Docket No. 14-HA00021

FINAL ORDER TERMINATING MONITORING

NOW on this 11th day of April, 2014, comes before the Kansas State Board of Healing Arts (“Board”) the request of Jose Hinojosa, MD (“Licensee”) for termination of the practice monitoring requirement contained in the Consent Order filed on August 27, 2013. Licensee appears in person and *through counsel*, Carol Ruth Bonebrake. Jane Weiler, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to Board by K.S.A. 65-2801 *et seq.*, and in accordance with the provisions of the Kansas Administrative Procedure Act K.S.A. 77-501 *et seq.*, the Board hereby enters this Final Order in the above-captioned matter. After reviewing the agency record, hearing the statements and arguments of the parties, and being otherwise advised in the premises, the Board makes the following findings, conclusions and order:

1. Licensee is licensed to engage in the practice of medicine and surgery in the State of Kansas, having been issued License No. 04-36883.
2. On or about August 27, 2013, Licensee entered into a Consent Order with the Board to resolve concerns regarding Licensee’s absence from the active practice of medicine and surgery since January 2010.
3. On October 24, 2013, the Board accepted and ratified the Consent Order.

4. The terms of the Consent Order required Licensee to attend and successfully complete the continuing education courses, Intensive Course in Controlled Substance Prescribing-Pain, Anxiety, Insomnia offered by Case Western, and the Two-Day Telehealth Education Program offered by California Davis Health System, and to have his practice of medicine and surgery be monitored by a practice monitor for a minimum of six (6) months.

5. The terms of the Consent Order allowed Licensee to petition the Board for modification or termination after six (6) months.

6. On or about December 30, 2013, Licensee submitted to the Board documentation evidencing completion of his required Intensive Course in Controlled Substance Prescribing continuing medical education course.

7. On or about March 5-6, 2014, Licensee attended his required Two-Day Telehealth Education Program.

8. The Board approved Michael E. Machen, M.D., as Licensee's practice monitor to fulfill the practice monitoring requirements.

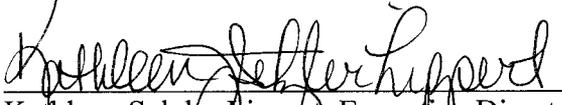
9. On or about October 16, 2013, through March 17, 2014, Dr. Machen submitted to the Board six (6) practice monitoring reports. Dr. Machen opined that Licensee's documentation was appropriate, that Licensee was prescribing medications appropriately, and that Licensee was practicing medicine and surgery with reasonable skill and safety. Dr. Machen did not identify any problems or concerns while monitoring Licensee.

10. On March 7, 2014, Licensee submitted a request for the termination of the practice monitoring provisions of the Consent Order.

11. The Board finds that Licensee has satisfactorily met all requirements of the Consent Order and concludes that termination of the monitoring requirement is warranted in the circumstances.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that the practice monitoring imposed by the Consent Order filed on August 27, 2013, is hereby **TERMINATED**.

IT IS SO ORDERED THIS 28 DAY OF April, 2014, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


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, 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, at 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing **Final Order** was served this 28th day of April, 2014 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Jose Hinojosa, MD
PO Box 530
Johnson, KS 67855

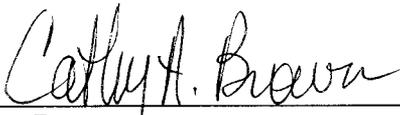
Carol Ruth Bonebrake
Holbrook & Osborn, PA
107 SW 6th Ave., Ste. 210
Topeka, KS 66603

And a copy was hand-delivered to:

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

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.



Cathy Brown
Executive Assistant