

EFFECTIVE AS A FINAL ORDER

DATE: 4/21/2022

FILED

MAR 31 2022

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

KS State Board of Healing Arts

In the Matter of

**Casey D. Holt, D.C.
Kansas License No. 01-06030**

Docket No. 22-HA2003Z

SUMMARY ORDER

NOW ON THIS 31st day of March 2022, This matter comes before Susan B. Gile, Acting Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537.

Pursuant to K.S.A. 77-537 and K.S.A. 77-542, this Summary Order shall become effective as a Final Order, without further notice, if no written request for a hearing is made within fifteen (15) days of service. Upon review of the agency record and being duly advised in the premises, the following finding of fact, conclusions of law, and order are made for and on behalf of the Board:

Findings of Fact

1. Casey D. Holt, D.C. ("Applicant") was first issued License No. 01-06030 to practice chiropractic in Kansas on February 3, 2020. His license was cancelled for failure to renew on February 1, 2021. Applicant applied to reinstate his license on February 25, 2022.
2. Applicant's last mailing address known to the Board is: **CONFIDENTIAL** ,
CONFIDENTIAL
3. On February 1, 2021, Applicant's license was cancelled for failure to renew.
4. Applicant applied to reinstate his active chiropractic license on February 25, 2022.

On his reinstatement application, Applicant disclosed he had been actively practicing as a

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chiropractor at Advanced Chiropractic ITC in Wichita, Kansas from approximately February 2020 to February 2022. (Bd. Exh. 1-Application p. 4).

5. Applicant practiced without a license for at least twelve (12) months between February 2021 and February 2022. While Applicant practiced during these twelve (12) months, he was not excluded from the Kansas Healing Arts Act under any exceptions.

Applicable Law

6. The Board has jurisdiction over Applicant as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

7. Under the Kansas Healing Arts Act K.S.A. 65-2801 *et seq.*, “it shall be unlawful for any person who does not have a license to engage in the practice of any profession regulated by the board.” Persons deemed engaged in the practice of chiropractic are defined under K.S.A. 65-2871. [emphasis added]

8. K.S.A. 65-2836 of the Kansas Healing Arts Act states in pertinent part:

A licensee's license may be revoked, suspended or limited, or the licensee may be publicly censured or placed under probationary conditions, or an application for a license or for reinstatement of a license may be denied upon a finding of the existence of any of the following grounds:

(b) licensee has committed an act of unprofessional conduct.

(g) The licensee has unlawfully invaded the field of practice of any branch of the healing arts in which the licensee is not licensed to practice.

9. K.S.A. 65-2837(b)(12) defines “unprofessional conduct” in pertinent part to include “committing conduct likely to deceive, defraud, or harm the public.”

Conclusions of Law

10. The Board finds Applicant violated K.S.A. 65-2836(g) of the Kansas Healing Arts Act by engaging in the practice of chiropractic in Kansas, as defined by K.S.A. 65-2871, without a license for a period of twelve (12) months.

11. The Board finds Applicant also violated K.S.A. 65-2836(b) of the Kansas Healing Arts Act, as defined by K.S.A. 65-2837(b)(12) by committing conduct likely to deceive, defraud, or harm the public in that Applicant committed an act of unprofessional conduct by practicing as a chiropractor in Kansas without a license for a period of twelve (12) months.

12. Based on the facts and circumstances set forth herein, the use of summary proceedings in this matter is appropriate, in accordance with provisions set forth in K.S.A. 77-537(a) in that the use of summary proceedings does not violate any provision of law and the protection of the public interest does not require the Board to give notice and an opportunity to participate to person other than Applicant.

IT IS ORDERED that Applicant is hereby **PUBLICLY CENSURED**, and that Applicant is assessed a **CIVIL FINE** in the amount of two hundred dollars (**\$250.00**) for violations of the Kansas Healing Arts Act, due within thirty (30) days after this Order becomes a Final Order. Such fine shall be paid to the “Kansas State Board of Healing Arts,” in full. All monetary payments, which shall be in the form of check or money order, relating to this Summary Order shall be mailed to the Board, certified, and addressed to:

Kansas State Board of Healing Arts
Attn: Compliance Coordinator
800 SW Jackson, Lower Level-Suit A,
Topeka, Kansas 66612.
KSBHA_ComplianceCoordinator@ks.gov

IT IS FURTHER ORDERED that, upon satisfaction of the requirements imposed by this Summary Order, Applicant's application for the reinstatement of his Active license to practice as a chiropractor in Kansas shall be granted.

PLEASE TAKE NOTICE that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

Dated this 31st day of March, 2022.

KANSAS STATE BOARD OF HEALING ARTS

Susan Gile

Susan B. Gile,
Acting Executive Director

FINAL ORDER 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 Susan Gile, Acting Executive Director, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I served a true and correct copy of the above and foregoing **FINAL ORDER** by depositing the same in the United States Mail, postage prepaid, on this 21st day of April 2022, addressed and emailed to:

Casey D. Holt, D.C.
CONFIDENTIAL

Applicant

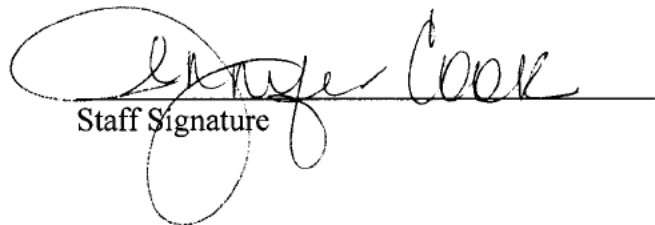
And a copy was hand-delivered to:

Matthew Gaus, Associate Litigation Counsel
Lydia Hornbaker, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

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

Office of the General Counsel
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 Acting Executive Director.


Staff Signature