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APR 17 2015
KS State Board of Healing Arts
[Signature]

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

In the Matter of)
JEREMY HOWES, M.D.)
)
Kansas License No. 04-32101)
_____)

KSBHA Docket No.15-HA00027

**FINAL ORDER ON APPLICATION FOR CHANGE OF DESIGNATION/TYPE
TO PRACTICE MEDICINE AND SURGERY**

NOW on this 10th day of April 2015, comes before the Kansas State Board of Healing Arts (“Board”) the application of Jeremy Howes, M.D. (“Licensee”) for change of designation/type of his license to practice medicine and surgery in the State of Kansas. Licensee appears in person, and by and through his counsel Mark Stafford of Simpson, Logback, Lynch, Norris, P.A. Jessica A. Bryson, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to the 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 duly advised in the premises, the Board makes the following findings, conclusions and order:

1. On or about October 21, 2006, Licensee was issued Kansas license No. 04-32101 to practice medicine and surgery in the state of Kansas.

2. On or about June 27, 2014, Licensee was involved in automobile accident in which he drove his vehicle through the side of a residential home. At the conclusion of the investigation into the accident, Licensee was arrested for suspicion of DUI, by the Wichita Police Department.

3. Confidential
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4. On or about July 3, 2014, Licensee requested that his license designation/type be changed from active to inactive.

5. On or about July 17, 2014, Licensee hand-delivered to the Board an application for change of designation/type to change his license from inactive back to active.

6. Confidential
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7. On or about September 8, 2014, Licensee's application for change of designation/type was deemed complete and filed with the Board.

8. On or about September 18, 2014, a Response to Application for Change of Designation/Type to Practice Medicine and Surgery ("Response") was filed by Respondent.

9. On December 17, 2014, the Board granted Licensee's request for a designation/type change from an inactive license to an active license.

10. Confidential
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11. On December 17, 2014, the Board also held its determination on the allegations of unprofessional conduct, as generally alleged, in abeyance until such time as the Board could review the Confidential

12. The Board retained jurisdiction over this matter to conduct additional proceedings and issue further orders as deemed necessary.

13. Confidential
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14. Confidential
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15. On March 12, 2015, Associate Litigation Counsel filed an Amended Response to Application for Change of Designation/Type to Practice Medicine and Surgery (“Amended Response”). The Amended Response did not allege any additional violations of the Healing Arts Act, but did allege the Confidential
Confidential pursuant to Board Policy 15-01 in that the question of whether Licensee has disruptive behavior was not addressed.

16. In order to address any concerns the Board might have with regards to his professional behavior or communication as a physician, Licensee offered to complete a

communication course at Case Western Reserve University School of Medicine offered in October or November of 2015.

17. The Board concludes that there is insufficient evidence to find that Licensee violated K.S.A. 65-2836(i).

18. The Board finds that subsequent to his automobile accident on June 27, 2014, Licensee attempted to have another person take the blame for the accident and that he misled the investigating officers as to who was the driver of the vehicle. The Board finds this conduct to be dishonest. The Board concludes that such misconduct undermines the public perception of the profession.

19. The Board concludes that Licensee actions and behavior subsequent to the automobile accident on June 27, 2014 constituted dishonorable conduct, as set forth in K.S.A. 65-21836(b).

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The one-year time frame is not self-terminating. Upon the end of the one year period, Licensee may move the Board to terminate this monitoring agreement.

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23. Confidential

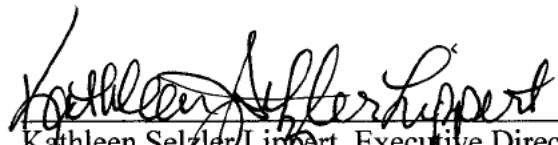
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24. The Board concludes that Licensee's offer to take a communication course would be beneficial and based on Licensee's agreement directs Licensee to enroll in the "Case Western Reserve University "Managing Difficult Communications in Medical Practice: Controlling Anger, Avoiding Outbursts, Communicating Appropriately" scheduled for November 11-13, 2015. These hours shall be in addition to those hours required for renewal of licensure. This shall be at Licensee's own expense.

25. Licensee shall provide documentary proof of completion of the communication course to the Board no later than December 13, 2015. Such documentation shall be directed to :

Compliance Coordinator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level Suite A
Topeka, Kansas 66612

IT IS SO ORDERED THIS 17 DAY OF April 2015, 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, the Board's Executive Director, at 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, hereby certify that a true copy of the foregoing **FINAL ORDER** was served this 17th
day of April 2015 by depositing the same in the United States Mail, first-class, postage prepaid,
and addressed to:

Jeremy Howes, MD
Confidential
Wichita, KS 67205

Mark Stafford
Simpson, Logback, Lynch, Norris, P.A.
107 SW 6th Avenue, Suite 210
Topeka, KS 66603

And a copy was hand-delivered to:

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

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 the office of:

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

for 
Cathy Brown, Executive Assistant