

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

In the Matter of)
) **KSBHA Docket No. 14-HA00128**
JACK Q. JAEGER, M.D.,)
)
Kansas License No. 04-28323)

EX PARTE EMERGENCY ORDER OF SUSPENSION AND PROTECTIVE ORDER

NOW on this 22nd day of April 2014, comes before the Presiding Officer, John F. Settich, Ph.D., Petitioner's Motion for *Ex Parte* Emergency Order of Suspension and for Emergency Proceedings filed by Jane E. Weiler, Associate Litigation Counsel for the Board. There are no other appearances.

Upon review of the agency record in KSBHA Docket No. 14-HA00128, including the Petition, Motions and attached exhibits, the Presiding Officer finds, concludes and orders as follows:

1. On April 21, 2014, Petitioner filed a Petition alleging that Jack Q. Jaeger, M.D. ("Licensee") committed violations of the Healing Arts Act and requesting disciplinary action against Licensee's license.
2. Petitioner also filed a Motion for *Ex Parte* Emergency Order of Suspension and for Emergency Proceedings pursuant to K.S.A. 65-2838 and K.S.A. 77-536. The Motion requests a temporary suspension of Licensee's license based on an allegation that Licensee's continuation in practice creates an imminent danger to the public health, safety and welfare. In support of the Motion, Petitioner offers Exhibits A through K, attached thereto.
3. Licensee is presently licensed and entitled to engage in the active practice of medicine.

4. Licensee is presently subject to the requirements and license limitations of a disciplinary Consent Order he entered into with the Board in KSBHA Docket No. 12-HA00014.

5. The Presiding Officer takes official notice of the agency record of KSBHA Docket No. 12-HA00014. The Presiding Officer further takes official notice of the agency record of KSBHA Docket No. 05-HA00064, in which Licensee previously entered a Consent Order with the Board.

6. The Consent Order in KSBHA Docket No. 12-HA00014 was entered to ensure Licensee is safe to practice medicine **Confidential** and a history of Board action dating back to at least 2005. **Confidential**
Confidential

7. **Confidential**
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9. Confidential

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demonstrate that Licensee has violated the Consent Order's requirement Confidential

10. There is cause to believe that grounds exist for disciplinary action against Licensee's license pursuant to K.S.A. 65-2836(k) in that Licensee has violated a lawful order of the Board previously entered into by the Board.

11. The Consent Order with which Licensee is currently required to comply is intended to ensure that Licensee is safe to practice Confidential

Confidential

12. K.S.A. 65-2838(c) and K.S.A. 77-536 authorize the Board to temporarily suspend a licensee's license in order to address an imminent threat to the health, safety or welfare of the public.

13. Licensee's license should be emergently suspended on a temporary basis pending an evidentiary hearing to determine if there is adequate cause for the suspension to remain in effect during the proceedings on the underlying Petition.

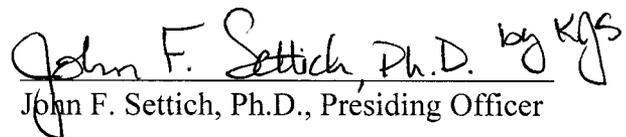
IT IS THEREFORE ORDERED that the license of Jack Q. Jaeger, M.D. is hereby emergently **SUSPENDED** on a temporary basis pending an evidentiary hearing to determine if there is adequate cause for the suspension to remain in effect during the proceedings on the underlying Petition.

IT IS FURTHER ORDERED that Associate Litigation Counsel is directed to serve this order in a manner provided by law and complete and file such proof of service.

IT IS FURTHER ORDERED that a **PROTECTIVE ORDER** is hereby entered to protect all privileged and confidential information subject to 42 CFR Part II, K.S.A. 65-1685, K.S.A. 65-2836(i), K.S.A. 65-4915 and K.S.A. 65-4925.

IT IS SO ORDERED this 22nd day of April, 2014.

Kansas State Board of Healing Arts


John F. Settich, Ph.D., Presiding Officer

NOTICE OF RIGHTS

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 an order. A copy of any petition for judicial review must be served upon Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level- Suite A, Topeka, Kansas 66612.

CERTIFICATE OF SERVICE

I, Cathy A. Brown, hereby certify that I served a true and correct copy of the **Ex Parte Emergency Order of Suspension and Protective Order** by U.S. mail, postage prepaid, on this the 22nd day of April, 2014, to the following:

Jack Q. Jaeger, M.D.
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Garden City, Kansas 67846

Carol Ruth Bonebrake
Holbrook & Osborn, P.A.
107 SW 6th Avenue, Suite 210
Topeka, Kansas 66603

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

Cathy A. Brown