

3. On February 9, 1994, Michael R. Herwig, General Partner/Administrator of Salina StatCare, notified the Board he was recently made aware Applicant did not have a current registration to practice as a physician's assistant in the State of Kansas. He advised Applicant had been employed as a physician's assistant at StatCare since February 15, 1993, during the time period in which Applicant's registration was cancelled. Correspondence from Mr. Herwig to Applicant dated February 11, 1994 indicates the following: Applicant does not hold a current registration with the Board; the representation of Applicant as a physician's assistant if not registered constitutes a Class C misdemeanor; Applicant cannot represent himself as a physician's assistant within the clinic; and any name tags, coats, office plaques, business cards, certificates or nameplates representing Applicant as a physician's assistant shall be removed immediately. He further indicates Applicant's pay rate will be reduced to that of a medical assistant, and that his employment as a physician's assistant is immediately terminated.

4. In the course of the Board's investigation of the apparent conduct of Applicant holding himself out as a physician's assistant, patient charts were subpoenaed containing progress notes prepared by Applicant. On the three charts reviewed, Applicant diagnosed and treated patients on May 14, May 16, June 5, November 20, and December 27 in 1993, and on January 6 and February 2 in 1994. Further, Applicant issued prescriptions by signing his name

FINAL ORDER FOLLOWING CONFERENCE HEARING

Jerald R. Jones, Jr., P.A.

on prescription pads printed with "J.R. Jones, RPA-C."

5. On October 18, 1993, Applicant was hired as a physician's assistant at Lindsborg Rural Health Clinic in Lindsborg, Kansas. The office manager of the Lindsborg clinic indicated by telephone to the Board's Associate Counsel on February 9, 1994, that Applicant was employed as a physician's assistant at the Lindsborg Clinic.

6. The above-noted actions constitute grounds for which the Board may deny an application for reinstatement to practice as a physician's assistant in the State of Kansas pursuant to the laws relating to physicians' assistants, specifically as delineated in the following:

a. Applicant has used the title RPA or words of like effect, and has represented himself to be an RPA without his name being entered on the physician's assistant register.

b. Applicant made misrepresentations in his application for a reinstatement registration by asserting he had ceased active employment as a physician's assistant.

c. K.S.A. 65-2896a(b) provides that the Board may refuse to enter a person's name on the register of physician's assistants upon any of the grounds for which the Board may remove a person's name from such register.

d. K.S.A. 65-2896b provides grounds for removal of a name from the physicians' assistants register. Subparagraph (a)(3) states that a violation of the laws regulating physicians'

assistants or the corresponding rules and regulations is a basis for which to remove an applicant's name from the register.

e. K.S.A. 65-2896c states that no person shall use the title RPA or words of like effect, nor shall any person represent himself to be an RPA unless such person's name is entered on the register. A violation by any person of the provisions of this section shall constitute a Class C misdemeanor.

IT IS THEREFORE ORDERED as follows:

1. That the findings here and above made be in the same are made the Order of the Board.

2. Adequate information has been provided to the Board to justify denial of reinstatement registration to Applicant to practice as a physician's assistant in the State of Kansas.

3. This is a Final Order and is effective upon service of process upon the parties. Any party may, within 15 days after service, file a Petition for Reconsideration, stating the specific grounds upon which relief is requested. The filing of a Petition for Reconsideration is not a prerequisite for seeking administrative or judicial review.

IT IS SO ORDERED.

DATED this 16th day of March, 1994.

FINAL ORDER FOLLOWING CONFERENCE HEARING

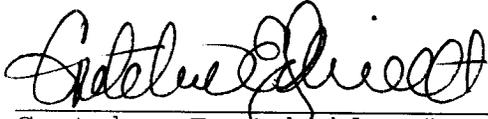
Jerald R. Jones, Jr., P.A.

KANSAS STATE BOARD OF HEALING ARTS



LAWRENCE T. BUENING, JR.
Executive Director
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603-3068
(913) 296-7413

Prepared and Approved by:



Gretchen E. Schmidt, #16250
Staff Counsel
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603-3068

FINAL ORDER FOLLOWING CONFERENCE HEARING

Jerald R. Jones, Jr., P.A.

CERTIFICATE OF SERVICE

I, Lawrence T. Buening, Jr., certify that on this 16th day of March, 1994, a true and correct copy of the above **FINAL ORDER FOLLOWING CONFERENCE HEARING** was deposited in the United States Mail, first class, postage prepaid, to the following:

Jerald R. Jones, Jr.
1315 S. Linden
Wichita, Kansas 67207

and a copy was hand-delivered to:

Gretchen E. Schmidt
Staff Counsel
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603-3068

and the original was hand-delivered to:

Office of the Executive Director
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603-3068


LAWRENCE T. BUENING, JR.
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603-3068
(913) 296-7413