

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

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KS State Board of Healing Arts

In the Matter of)
J. RICH JONES, P.T.)
)
)
Kansas License No. 11-03209)
)
_____)

KSBHA Docket No. 13-HA00046

FINAL ORDER GRANTING
TERMINATION OF LICENSE LIMITATIONS

NOW this 8th day of June 2018, comes on for conference hearing before the Kansas State Board of Healing Arts (“Board”), the Motion of J. Rich Jones, P.T. (“Licensee”) to Terminate Limitations on his License. Licensee appears in person, and through his counsel, Mark Lynch of Simpson, Logback, Lynch, Norris, PA. Nancy Dodik, Associate Disciplinary Counsel (“ADC”), appears on behalf of the Board.

Pursuant to the authority granted to the Board by the Physical Therapy Practice Act, K.S.A. 65-2901, *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 following a conference hearing in the above-captioned matter. After reviewing the agency record, hearing the arguments of the parties, receiving evidence and otherwise being duly advised in the premises, the Board makes the following findings, conclusions and order:

Procedural History

1. In 2002, Licensee was issued a Kansas license to practice physical therapy; Kansas license 11-03209.
2. In June 2012, Licensee was terminated from his employment for boundary concerns.

3. [REDACTED]
4. In February 2013, a petition for discipline was filed alleging violations of the practice act related Licensee's sexual relationship with an established patient; see KSBHA Docket No. 13-HA00046.
5. In April 2013, the Board issued a Final Order Suspending License in KSBHA Docket No. 13-HA00046. Licensee's Kansas PT license was suspended for at least six (6) months. Additionally, the April 2013 Board order provided that if the suspension was terminated, the Board may impose additional sanctions for a period of time to ensure public protection and safety to practice.
6. In February 2014, the Board issued a Final Order terminating Suspension and Imposing Limitations.
7. In April 2016, the Board issued a Final Order Granting Modifications of Limitation. Specifically, the Board modified the prior order by authorizing Licensee to evaluate and treat male patients without a chaperone present or other restrictions and authorized the Licensee to evaluate and treat female patients. Licensee's license continued to be limited in that Licensee was required to have a Board-approved chaperone present in the room for all female patients. [REDACTED]
8. In August 2017, Licensee filed a Motion to Terminate License Limitations. On November 13, 2017, the Board denied the Motion.

9. On or about April 24, 2018, Licensee filed a second Motion to Terminate License Limitations (Motion). In his Motion, Licensee states that he has fully complied with the provisions of the 2016 Final Order, including the limitation of only treating and evaluating female patients with a chaperone present in the room and [REDACTED] Licensee's Motion includes letters in support from his chaperone and therapist.

10. On May 9, 2018, ADC filed a neutral Response to Licensee's Motion to Terminate Limitations. [REDACTED]

[REDACTED]

[REDACTED]

Discussion and Conclusions

11. The agency record in this matter outlines Licensee's compliance with the Board's orders in the above captioned case. The Motion asks for termination of the remaining license limitations.

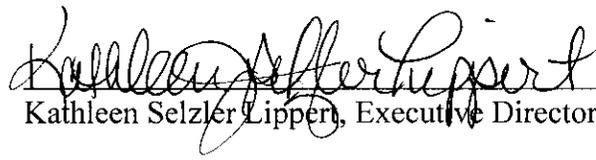
12. The Board recognizes Licensee's compliance with Board limitations, conditions, and orders, and admonishes Licensee that any future boundary violations will be unacceptable.

13. The Board grants the Motion to Terminate License Limitations.

IT IS THEREFORE ORDERED that Licensee's Motion to Terminate License Limitations is hereby GRANTED.

IT IS SO ORDERED this 3rd day of July, 2018.

KANSAS STATE BOARD OF HEALING ARTS


Kathleen Selzler Lippert, Executive Director

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, Kansas State Board of Healing Arts, 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 Granting Termination of License Limitations** served this ^{5th} day of ~~June~~ ^{July}, 2018 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

J. Rich Jones, P.T.
[REDACTED]
Olathe, KS 66062

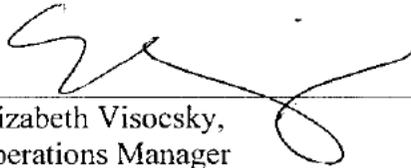
Mark Lynch
Commerce Plaza II
7400 West 110th Street, Suite 600
Overland Park, KS 66210

And a copy was hand-delivered to:

Jared Langford, 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.



Elizabeth Visoesky,
Operations Manager