

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED

JUN 20 1994

Case No. 94-00141
**KANSAS STATE BOARD OF
HEALING ARTS**

In the Matter of)
)
BILLY F. KAY, M.D.)
Kansas License No. 4-13277)
_____)

FINAL ORDER

NOW on this 3rd day of June, 1994, comes on for consideration before the Kansas State Board of Healing Arts ("Board") sitting as a whole as Presiding Officer in a conference proceeding pursuant to the provisions of K.S.A. 77-533 through 77-535, the application of Billy F. Kay, M.D. ("Licensee") for status change from inactive to active. Gretchen E. Schmidt, Associate Counsel, appears for and on behalf of the Board. Licensee does not appear.

After reviewing the application and being otherwise duly advised in the premises, the Board finds as follows:

FINDINGS OF FACT

1. Licensee was originally licensed to practice medicine and surgery in the State of Kansas on July 1, 1965, having last renewed said license on July 26, 1993. Said license presently remains under an inactive status.
2. On June 22, 1993, Licensee filed an application for inactive to active status change.
3. Based upon information provided by Licensee in his application for status change, the Board conducted an investigation into Licensee's acknowledgment of disciplinary action taken or initiated against him by another state licensing agency.

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4. On April 9, 1992, the Texas State Board of Medical Examiners temporarily suspended Licensee's Texas medical license on an emergency basis confidential confidential constituted a continuing threat to the public welfare.

5. On April 30, 1993, the Texas State Board of Medical Examiners indefinitely suspended Licensee's Texas medical license on the basis he continued to be unable to practice medicine with reasonable skill and safety to patients. confidential

CONCLUSIONS OF LAW

1. Licensee has had a license to practice the healing arts suspended by the proper licensing authority of another state, specifically the State of Texas, in violation of K.S.A. 65-2836(j).

2. Licensee has the inability to practice medicine with reasonable skill and safety to patients

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3. The above-noted facts and conclusions constitute grounds for which the Board may deny an application for status change to actively practice medicine and surgery in the State of Kansas.

IT IS THEREFORE BY THE BOARD ORDERED as follows:

(A) That the findings herein above made be and the same are made the Order of the Board.

(B) Adequate information has been provided to the Board to justify denial of status change to Licensee to actively practice medicine and surgery in the State of Kansas. Licensee's application for status change from inactive to active is therefore **DENIED**.

(C) This is a Final Order and is effective upon service upon the parties. Any party may, within 15 days after service, file a Petition for Reconsideration. The filing of a Petition for Reconsideration is not a prerequisite for seeking administrative or judicial review.

IT IS SO ORDERED.

DATED this 20th day of June, 1994.

KANSAS STATE BOARD OF HEALING ARTS


LAWRENCE T. BUENING, JR.
Executive Director

CERTIFICATE OF SERVICE

I, Lawrence T. Buening, Jr., certify that on this 20th day of June, 1994, a true and correct copy of the above **FINAL ORDER** was deposited in the United States mail, first class, postage prepaid, addressed to the following:

Billy F. Kay, M.D.
6960 Bellaire Blvd., Suite 2214
Houston, Texas 77074

and copies were hand-delivered to:

Gretchen E. Schmidt
Associate Counsel
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Topeka, Kansas 66603-3068

Charlene K. Abbott
Licensing Administrator
Kansas State Board of Healing Arts
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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.

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Billy F. Kay, M.D.