

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED CAB
SEP 06 2006

KS State Board of Healing Arts

In the Matter of)
David B. Kemp, MD)
)
Kansas License No. 04-29504)
_____)

Docket No. 05-HA-0061

FINAL ORDER

NOW ON THIS 12th day of August, 2006, this matter comes before the Board for review of the Initial Order filed March 24, 2006 by Roger Warren, M.D. Respondent David B. Kemp appears in person and through Thomas E. Wright and Thomas E. Beall. Kelli J. Stevens, Litigation Counsel, appears for the Board.

Having the agency record before it, the Board adopts the findings of fact and conclusions of law stated in the Initial Order. The Board determines that Respondent should be censured for his failure to comply strictly with the monitoring requirements of the December 14, 2005 Final Order. The Board further determines that the minimum one-year limitation upon Respondent's license imposed by the December 14, 2005 Final Order, as clarified by the April 4, 2006 Journal Entry, commences on this date.

Upon the Respondent's motion, the Board approves Rochelle Waite, M.D. to monitor Respondent's surgery in accordance with the December 14, 2005 Final Order. In Dr. Waite's absence, the Board approves Jay Charles Lick, M.D. as monitor.

IT IS, THEREFORE, ORDERED that Respondent is hereby censured for failing to comply strictly with the limitations imposed by the December 14, 2005 Final Order.

IT IS FURTHER ORDERED that the limitations imposed by the December 14, 2005 Final Order, as clarified by the April 4, 2006 Journal Entry, shall be in effect for a minimum of one year from August 12, 2006.

IT IS FURTHER ORDERED that Rochelle Waite, M.D. is appointed to monitor Respondent's surgery in accordance with the December 14, 2005 Final Order, as clarified by the April 10, 2006 Journal Entry, and that in her absence Jay Charles Lick is appointed to monitor.

PLEASE TAKE FURTHER NOTICE that this is a final order. A final order is effective upon service. 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 the Board's Executive Director at 235 SW. Topeka Blvd., Topeka, KS 66603.

Dated this 6th day of September , 2006.

Kansas State Board of Healing Arts



Lawrence T. Buening, Jr.
Executive Director

Certificate of Service

I certify that a true copy of the foregoing Final Order was served this 6th day of September, 2006, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Thomas E. Wright
Thomas E. Beall
100 S.E. 9th Street, 2nd Floor
Topeka, KS 66601-3555

And a copy was hand-delivered to the office of

Kelli J. Stevens, Attorney
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, KS 66603

A handwritten signature in black ink, appearing to read "Thomas E. Beall", written over a horizontal line.