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DEC 10 2008

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

KS State Board of Healing Arts

In the Matter of)
)
RAYMOND B. KETTING, M.D.)
Kansas License No. 04-26285)
_____)

Docket No. 09-HA 00090

CONSENT ORDER

COMES NOW, the Kansas State Board of Healing Arts ("Board"), by and through Stacy R. Bond, Associate Litigation Counsel, ("Petitioner"), and Raymond B. Ketting, M.D. ("Licensee"), *pro se*, and move the Board for approval of a Consent Order affecting Licensee's license to practice medicine and surgery in the State of Kansas. The parties stipulate and agree to the following:

1. Licensee's last known mailing address as provided to the Board is 157 Terrace Trail, Poplar Bluff, Missouri 63901.
2. Licensee is or has been entitled to engage in the practice of medicine and surgery in the State of Kansas, having been issued License No. 04-26285 on approximately June 22, 1996. Licensee's license status is active, and his specialty as reported to the Board is Pediatrics and Emergency Medicine.
3. The Board is the sole and exclusive administrative agency in the State of Kansas authorized to regulate the practice of the healing arts, specifically the practice of medicine and surgery. K.S.A. 65-2801 *et seq.* and K.S.A. 65-2869.

4. This Consent Order and the filing of such document are in accordance with the applicable law and the Board has jurisdiction to enter into the Consent Order as provided by K.S.A. 65-2838.

5. Upon approval, these stipulations shall constitute the findings of the Board, and this Consent Order shall constitute the Board's Final Order.

6. The Kansas Healing Arts Act is constitutional on its face and as applied in this case.

7. Licensee agrees that, in considering this matter, the Board is not beyond its jurisdiction as provided by law.

8. Licensee voluntarily and knowingly waives his right to a hearing. Licensee voluntarily and knowingly waives his right to present a defense by oral testimony and documentary evidence, to submit rebuttal evidence, and to conduct cross-examination of witnesses. Licensee voluntarily and knowingly agrees to waive all possible substantive and procedural motions and defenses that could be raised if an administrative hearing were held.

9. The terms and conditions of the Consent Order are entered into between the undersigned parties that are submitted for the purpose of allowing these terms and conditions to become an Order of the Board. This Consent Order shall not be binding on the Board until an authorized signature is affixed at the end of this document. Licensee specifically acknowledges that counsel for the Board is not authorized to sign this Consent Order on behalf of the Board.

10. Licensee submitted a fraudulent certificate indicating he was certified by the American Board of Pediatrics with his renewal application.

11. Licensee allowed his Kansas license to expire during the pendency of an on-going investigation.

12. Petitioner has alleged that Licensee has had adverse action taken by the proper licensing authority of another state and that such action, under the Kansas Healing Arts Act, would constitute disciplinary action.

13. Licensee had an adverse settlement against his license resulting from allowing his license to expire in the State of Kansas while an investigation was on going.

14. Pursuant to K.S.A. 65-2836, the Board has grounds to deny, revoke, suspend, limit or censure Licensee's license.

15. All pending investigation materials regarding Licensee were fully reviewed and considered by the Board members who serve on the Board's Disciplinary Panel. The Disciplinary Panel #22 authorized and directed Board counsel to seek settlement of this matter with the provisions contained in this Consent Order.

16. According to K.S.A. 65-2838(b), the Board has authority to enter into this Consent Order without the necessity of proceeding to a formal hearing.

17. Licensee admits that if this matter proceeded to a formal hearing the Board staff would present evidence in support that Licensee violated K.S.A. 65-2836(a), K.S.A. 65-2836(b), and K.S.A. 65-2836(j); and the Licensee's acts, if proven, are grounds for discipline pursuant to K.S.A. 65-2836(a), K.S.A. 65-2836(b), and K.S.A. 2836(j).

18. In lieu of formal proceedings, Licensee, by his signature affixed to this Consent Order, and when accepted by the Board, hereby voluntarily agrees to the

following disciplinary action on his license to engage in the practice of medicine and surgery:

Public Censure

- a. Licensee is hereby publicly censured for violating the Healing Arts Act.

19. Licensee's failure to comply with this Consent Order will result in the Board taking further disciplinary action as the Board deems appropriate according to the Kansas Administrative Procedure Act.

20. Nothing in this Consent Order shall be construed to deny the Board jurisdiction to investigate alleged violations of the Kansas Healing Arts Act, or to investigate complaints received under the Risk Management law, K.S.A. 65-4921 *et seq.*, that are known or unknown and are not covered under this Consent Order, or to initiate formal proceedings based upon known or unknown allegations of violations of the Kansas Healing Arts Act.

21. Licensee hereby releases the Board, its individual members (in their official and personal capacities), attorneys, employees and agents, (hereinafter collectively referred to as "Releases"), from any and all claims, including but not limited to, those alleged damages, actions, liabilities, both administrative and civil, including the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions, K.S.A. 77-601 *et seq.*, arising out of the investigation and acts leading to the execution of this Consent Order. This release shall forever discharge the Releases of any and all claims and demands of every kind and nature that Licensee has claimed to have had at the time of this release or might have had, either known or unknown, suspected or unsuspected,

and Licensee shall not commence to prosecute, cause or permit to be prosecuted, any action or proceeding of any description against the Releases.

22. Licensee further understands and agrees that upon signature by Licensee, this document shall be deemed a public record and shall be reported to the National Practitioner Databank, the Federation of State Medical Boards and any other reporting entities authorized to receive disclosure of the Consent Order.

23. This Consent Order, when signed by both parties, constitutes the entire agreement between the parties and may only be modified or amended by a subsequent document executed in the same manner by the parties.

24. Licensee agrees that all information maintained by the Board pertaining to the nature and result of any complaint and/or investigation may be fully disclosed to and considered by the Board in conjunction with the presentation of any offer of settlement, even if Licensee is not present. Licensee further acknowledges that the Board may conduct further inquiry as it deems necessary before the complete or partial acceptance or rejection of any offer or settlement.

25. Licensee, by signature to this document, waives any objection to the participation of the Board members, including the Disciplinary Panel, in the consideration of this offer of settlement and agrees not to seek the disqualification or recusal of any Board member in any future proceeding on the basis that the Board member has received investigative information from any source which otherwise may not be admissible or admitted as evidence.

26. Licensee acknowledges that he has read this Consent Order and fully understands the contents and that this Consent Order has been entered into freely and voluntarily.

27. All correspondence or communication between Licensee and the Board relating to this Consent Order shall be sent by certified mail addressed to the Kansas State Board of Healing Arts, Attn: Stacy R. Bond, Associate Litigation Counsel, 235 S. Topeka Boulevard, Topeka, Kansas 66603-3068.

28. Licensee shall obey all federal, state and local laws and rules governing the practice of the healing arts in the State of Kansas that may be in place at the time of execution of the Consent Order or may become effective subsequent to the execution of this document.

29. Upon execution of this Consent Order by affixing a Board authorized signature below, the provisions of this Consent Order shall become an Order under K.S.A. 65-2838. This Consent Order shall constitute the Board's Order when filed with the Office of the Executive Director for the Board and no further Order is required.

30. The Board may consider all aspects of this Consent Order in any future matter regarding Licensee.

IT IS THEREFORE ORDERED that the Consent Order and agreement of the parties contained herein is adopted by the Board as findings of fact and conclusions of law.

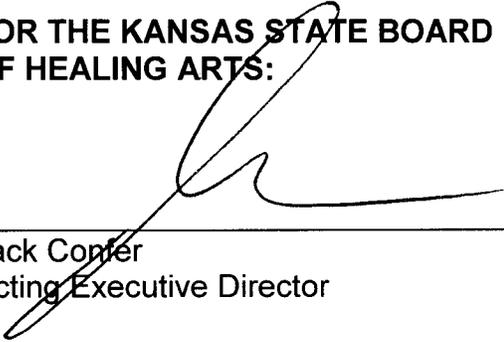
IT IS FURTHER ORDERED that in lieu of concluding the presently pending formal proceedings, Licensee, by his signature affixed to this Consent Order, voluntarily agrees to the following disciplinary measures regarding his license:

Public Censure

- a. Licensee is hereby publicly censured for the violations of the Healing Arts.

IT IS SO ORDERED on this 10th day of DECEMBER, 2008.

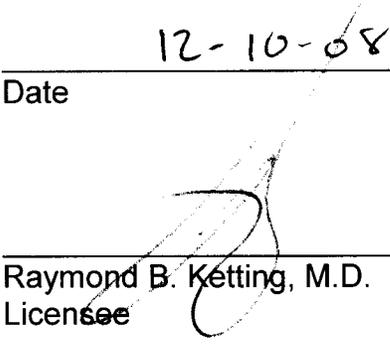
**FOR THE KANSAS STATE BOARD
OF HEALING ARTS:**



Jack Confer
Acting Executive Director

12-10-08

Date



Raymond B. Ketting, M.D.
Licensee

11/2/08

Date

PREPARED AND APPROVED BY:



Stacy R. Bond, #17673
Associate Litigation Counsel
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3065
(785) 296-0961

CERTIFICATE OF SERVICE

I, hereby certify that a true and correct copy of the foregoing **Consent Order** was served on the 11th day of December, 2008, by United States mail, first-class postage pre-paid and addressed to:

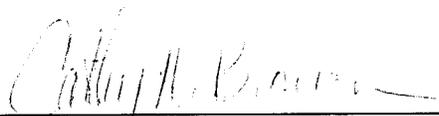
Raymond B. Ketting, M.D.
157 Terrace Trail
Poplar Bluff, MO 63901

and the original was hand-delivered for filing to:

Jack Confer
Acting Executive Director
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3068

and a copy was hand-delivered to:

Stacy R. Bond
Associate Litigation Counsel
Kansas Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3068



Cathy Brown, Executive Assistant