



**FILED**

*CAB*

JUL 19 2012

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

KS State Board of Healing Arts

**In the Matter of** )  
**WHOON JONG KIL, M.D.,** )  
 )  
**Application for Licensure by Endorsement** )  
\_\_\_\_\_ )

**KSBHA Docket No. 12-HA00053**

**ORDER GRANTING RECONSIDERATION AND FURTHER PROCEEDINGS**

NOW on this 18<sup>th</sup> day of July, 2012, comes before the Kansas State Board of Healing Arts ("Board") the request for reconsideration of the Journal Entry Denying Licensure filed by Whoon Jong Kil, M.D. ("Applicant"). Kathleen Selzler Lippert, Executive Director, a duly authorized representative of the Board, in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-529(b), and upon due consideration of the agency record and applicable law, and being otherwise duly advised in the premises, makes the following determinations:

1. On or about August 22, 2011, Applicant submitted an application for a licensure by endorsement to practice as medicine and surgery in the State of Kansas. Such application was deemed complete and filed with the Board on or about January 25, 2012.

2. Upon consideration of such application at the February 24, 2012 conference hearing, the Board issued its Final Order on March 22, 2012, denying Applicant's application for licensure by endorsement due to lack of evidence that Applicant had satisfactorily fulfilled the requirements of K.S.A. 65-2833.

3. On or about April 2, 2012, Applicant made a timely request pursuant to K.S.A. 77-529 for reconsideration of the Final Order denying him licensure by endorsement. Whereupon Applicant submitted evidence that on or about March 31, 2012, Applicant was issued License No. ME112555 in the State of Florida for the profession of "Medical Doctor,"

and that he had been "actively practicing medicine since 1997, including ten (10) years of residency (Korea) and Fellowship (U.S.)."

4. At the April 13, 2012 conference hearing on reconsideration of the denial of Applicant's application for licensure by endorsement, the Board found that Applicant passed the Clinical Radiation Oncology examination in January 2012. The Board further found that passage of the 2012 oral examination for board-certification by the American Board of Radiology would provide sufficient evidence that Applicant met the Kansas qualifications for licensure.

5. On or about May 14, 2012, the Board issued its Final Order On Reconsideration Granting Licensure By Endorsement Upon Meeting Condition ("Final Order on Reconsideration") following the April 13, 2012 conference hearing, concluding that Applicant should be granted a license by endorsement contingent upon Applicant's passage of the 2012 oral examination for board-certification by the American Board of Radiology scheduled to be taken in May of 2012. The Final Order on Reconsideration further stated "that if Applicant does not provide the Board with official documentation verifying Applicant's passage of the 2012 oral examination for Board certification . . . on or before July 1, 2012, the Application for License by Endorsement shall be denied."

6. On or about June 14, 2012, the American Board of Radiology issued its report of Applicant's Oncology oral examination results. The results indicated that Applicant failed in two (2) categories and therefore, required reexamination in each category he failed.

7. On or about July 10, 2012, the Board issued a Journal Entry Denying Licensure based on the terms contained in the Board's Final Order of May 14, 2012, which required that Applicant's application for licensure by endorsement be denied if Applicant failed to provide the

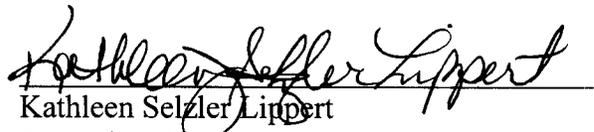
Board with official documentation verifying Applicant's passage of the 2012 oral examination for board-certification by the American Board of Radiology on or before July 1, 2012.

8. On or about July 11, 2012, Applicant submitted email correspondence to the Executive Director requesting that the Board reconsider the denial on the grounds that he only failed two of the eight portions of the examination. Applicant further alleges that his results are considered to be "conditionally passed."

9. Applicant's request for reconsideration of the Journal Entry Denying License as set forth in Applicant's email correspondence of July 11, 2012, should be granted and the matter is set for further proceedings. The Board shall reconsider the denial of Applicant's application in conference hearing proceedings before the Board on Friday, August 17, 2012. A formal Notice of Hearing specifying the time and place for hearing shall be sent to Applicant at his official address of record with the Board in accordance with K.S.A. 77-518.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** that Applicant's request for reconsideration of the Journal Entry Denying Licensure is hereby GRANTED, and a conference hearing on the request for reconsideration shall be held before the Kansas Board of Healing Arts on Friday, August 17, 2012, with a Notice of Hearing to be issued by the Board specifying the time and place.

**IT IS SO ORDERED THIS 18<sup>th</sup> DAY OF JULY, 2012, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**

  
Kathleen Selzler Lippert  
Executive Director  
Kansas State Board of Healing Arts

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the above foregoing **ORDER GRANTING RECONSIDERATION AND FURTHER PROCEEDINGS** was served this 19<sup>th</sup> day of July, 2012 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

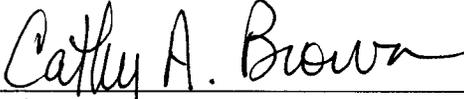
Whoon Jong Kil, M.D.  
UF Proton Therapy Institute  
2015 N. Jefferson Street  
Jacksonville, FL 32206

And a copy was hand-delivered to:

Brandy Snead, Associate Litigation Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

Katy Lenahan, Licensing Administrator  
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.

  
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Cathy Brown  
Executive Assistant