

FILED

CAB

AUG 29 2012

KS State Board of Healing Arts

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

In the Matter of)
WHOOON JONG KIL, M.D.)
)
Application for Licensure by Endorsement)
)
)

Docket No. 12-HA00053

FINAL ORDER ACCEPTING WITHDRAWAL OF APPLICATION

NOW on this the 17th day of August, 2012, comes before the Kansas State Board of Healing Arts (“Board”), the request of Whoon Jong Kil, M.D. (“Applicant”) for reconsideration of the Journal Entry Denying Licensure. Applicant appears *pro se*. Brandy Snead, Associate Litigation Counsel, appears for the Respondent Board.

Pursuant to the authority granted to the Board, in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.*, as amended, and pursuant to the authority granted to Board by K.S.A. 65-2801 *et seq.*, as amended, the Board hereby enters this Final Order following a conference hearing in the above-captioned matter. After reviewing the file, hearing the testimony and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. On or about August 22, 2011, Whoon Jong Kil, M.D. (“Applicant”) submitted an application to the Board for licensure by endorsement to practice medicine and surgery in the State of Kansas. Such application was deemed completed and filed with the Board on January 24, 2012.
2. Upon consideration at a 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 satisfactorily fulfilled the requirements of K.S.A. 65-2833.

3. On or about April 2, 2012, Applicant submitted additional evidence and made a timely request pursuant to K.S.A. 77-529 for reconsideration of the Board's Final Order denying Applicant licensure by endorsement.

4. At an April 13, 2012 conference hearing on reconsideration, the Board found that Applicant passed the clinical Radiation Oncology board-certification examination in January 2012, and further, that passage of the 2012 oral Radiation Oncology 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 a Final Order on Reconsideration, granting Applicant a license by endorsement contingent upon Applicant providing the Board on or before July 1, 2012, with official documentation verifying his passage of the oral examination for board-certification in Radiation Oncology by the American Board of Radiology.

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

7. On or about July 10, 2012, the Board issued a Journal Entry Denying Licensure to Applicant pursuant to the terms of the Board's Final Order of May 14, 2012.

8. On or about July 11, 2012, Applicant requested the Board reconsider its July 10, 2012 Journal Entry Denying Licensure.

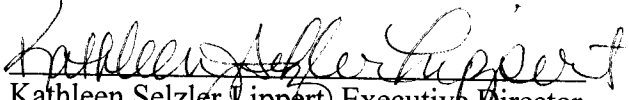
9. Upon presentation of evidence by both parties at the conference hearing on reconsideration, Applicant accepted the Board's offer to allow him to request withdrawal of his application for licensure by endorsement as long as such request was made within five days of hearing.

10. On or about August 20, 2012, Applicant submitted for filing with the Board, his request to withdraw his application for licensure by endorsement to practice medicine and surgery in the State of Kansas.

11. The Board finds that withdrawal of Applicant's application is acceptable.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS, that Applicant's request to withdraw from consideration his application for licensure by endorsement to practice medicine and surgery in the State of Kansas is hereby accepted.

IT IS SO ENTERED THIS 28th **DAY OF** August, 2012, **IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**


Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts

NOTICE OF RIGHTS

PLEASE TAKE 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 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 Accepting Withdrawal of Application** was served this 29th day of August, 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

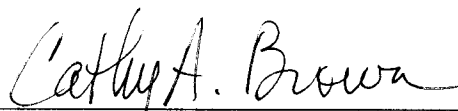
A copy was hand-delivered to:

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:

Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612



Cathy Brown, Executive Assistant
Kansas State Board of Healing Arts