

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

In the Matter of)
)
David Edward Krieg, D.O.) **Docket No. 05-HA-53**
Application for Kansas License)
_____)

PROPOSED DEFAULT ORDER

NOW ON THIS Twenty fifth Day of May 2004, comes before the Board an application by David E. Krieg, D.O. for a license to practice osteopathic medicine and surgery in the State of Kansas. Applicant does not appear. Kelli J. Benintendi, Associate Counsel, appears for the Board.

The Presiding Officer finds that Applicant is in default by his non-appearance. The allegations stated in the Response in Opposition to Application for License are deemed undisputed. Based upon the undisputed facts, the Presiding Officer finds, concludes, and orders as follows:

1. Applicant has been licensed to practice osteopathic medicine and surgery in Missouri. On November 28, 1990, the Missouri Board of Registration for the Healing Arts took disciplinary action against Applicant, placing him on probation. This disciplinary action was based upon Applicant's failure to disclose on an application that he had been arrested and charged with leaving the scene of an accident and driving while intoxicated. That license is now active.
2. Applicant currently does not have authority to prescribe controlled substances.

Between the dates of May 6, 2004 and November 30, 2004, Applicant presented at least two forged prescriptions for controlled substances. These prescriptions purported to be written by another physician.

3. Between the dates of July 22, 2004 and February 14, 2005, Applicant wrote counter prescriptions for drugs, including controlled substances, at a pharmacy located in Kansas.

4. On March 14, 2005, Applicant represented on a website that he practices medicine and surgery at the Anderson Physical Medicine facility, located at 11081 Antioch Road, Overland Park, Kansas.

5. The Presiding Officer concludes that Applicant has engaged in conduct that constitutes grounds to deny the application. Specifically, Applicant has had disciplinary action against a license to practice the healing arts taken by another state, as provided by K.S.A. 65-2836(j). By forging prescription orders and by representing authority to practice in this state, he has engaged in false, fraudulent or deceptive statements in connection with the practice of the healing arts, which is unprofessional conduct as defined by K.S.A. 65-2837(b)(17).

6. The Presiding Officer finds that the application to practice osteopathic medicine and surgery should be denied.

IT IS, THEREFORE, ORDERED that the application by David E. Krieg for a license to practice osteopathic medicine and surgery is denied.

PLEASE TAKE NOTICE that this is proposed default order. A party may file a motion to vacate a proposed default order within seven days following service of the proposed order.

