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KS State Board of Healing Arts

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

In the Matter of)
Barbara K. Lomeli, M.D.)
)
Kansas License No. 04-19428)
_____)

KSBHA Docket No. 11-HA00118

FINAL ORDER GRANTING CHANGE OF LICENSE DESIGNATION/TYPE

NOW on this 26th day of January, 2012, comes on for hearing before Presiding Officer, Nancy J. Welsh, M.D., the Application of Barbara K. Lomeli, M.D. ("Licensee") for Change of License Designation/Type from an exempt license to an active license. Licensee appears in person through counsel, Mark Stafford of Holbrook & Osborn, P.A. Stacy Bond, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to Board by K.S.A. 65-2801 *et seq.* and in accordance with the provisions of the Kansas Administrative Procedure Act K.S.A. 77-501 *et seq.*, the Presiding Officer hereby enters this Final Order in the above-captioned matter. After reviewing the agency record and exhibits admitted, hearing the testimony of Licensee and arguments of both counsel, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. Licensee is presently licensed to engage in the practice of medicine and surgery in the State of Kansas, having been issued license no. 04-19428, and has been so licensed since approximately December 5, 1981.

2. At Licensee's request, Licensee's license designation/type was changed from "active" to "exempt" on or about May 17, 2006.

3. Prior to changing her license to "exempt," Licensee practiced emergency medicine for approximately twenty-five (25) years.

4. Since changing her license designation/type to “exempt” in 2006, Licensee has not regularly engaged in the active, clinical practice of medicine and surgery.

5. From approximately July 2006 through December 2010, Licensee treated family and friends; provided charitable health care for her church; and participated in two (2) medical missionary trips.

6. Since November 2010, Licensee has completed approximately two-hundred and twenty (220) hours of category one continuing medical education.

7. On or about December 1, 2011, Licensee took the Special Purpose Examination (“SPEX”) administered by the Federation of State Medical Boards in order to demonstrate her current general medical knowledge. A score of seventy-five (75) is the minimum score recommended for passing SPEX. confidential . Licensee’s

SPEX Performance Profile indicated that she achieved a “higher performance” level for all areas tested.

8. Licensee anticipates practicing in a clinical research setting in which she will be mentored by other physicians and work with other peer physicians during her re-entry to active practice.

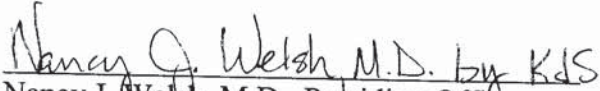
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10. The Presiding Officer finds that based upon the evidence presented, Licensee has satisfactorily established her present ability to practice medicine and surgery with reasonable skill and safety in accordance with K.S.A. 65-2809(f).

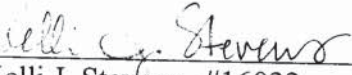
IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that effective January 30, 2012, Licensee is hereby granted a change of designation/type of license from an exempt license to an active license.

IT IS SO ORDERED THIS 30th DAY OF JANUARY, 2012, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.

KANSAS STATE BOARD OF HEALING ARTS


Nancy J. Welsh, M.D., Presiding Officer

Prepared by:


Kelli J. Stevens, #16032
General Counsel

NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service, and service of a Final Order is complete upon mailing. Pursuant to K.S.A. 77-529, Licensee may petition the Board for Reconsideration of a Final Order within fifteen (15) days following service of the final order. Additionally, 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, the Board's Executive Director, at 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing **Final Order Granting Change of License Designation/Type** was served this 31st day of January, 2012, by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Barbara Lomeli, M.D.
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Olathe, Kansas 66062

Mark Stafford
Holbrook & Osborn, P.A.
107 SW 6th Avenue, Suite 210
Topeka, Kansas 66603

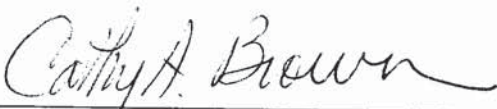
And a copy was hand-delivered to:

Stacy Bond, 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

Melissa Massey, Compliance Coordinator
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.



Cathy Brown, Executive Assistant