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

**KANSAS STATE BOARD OF
HEALING ARTS**

IN THE MATTER OF)
)
MAURICIO MASFERRER, M.D.)
Kansas License No. 04-18009)
_____)

Case # 95-00140

ORDER GRANTING MODIFICATION OF STIPULATION

COMES NOW, the Kansas State Board of Healing Arts ("Board") sitting in conference hearing this 15th day of February, 1997, to hear the request for a modification of the Stipulation and Agreement and Enforcement Order ("Stipulation") filed June 18, 1996 in the abovcaptioned matter. The Board is represented by Kevin K. LaChance, Disciplinary Counsel. Mauricio Masferrer, M.D. ("Licensee"), appears through counsel, Marcia S. Cook, of Blackwell, Sanders, Matheny, Weary & Lombardi, L.C., Overland Park, Kansas. There are no other appearances.

After consideration of Licensee's request, hearing presentations by the parties, and being otherwise duly advised in the premises, the Board finds the Stipulation should be modified as follows:

1. All findings of fact, conclusions of law, terms and conditions as reflected in the Stipulation are adopted herein and remain unchanged except as may be specifically set forth below.

2. Paragraph 5(a)(ii)(c) on page 4 of the Stipulation should be modified to read as follows:

"c. Licensee agrees that he will not conduct psychotherapy with female patients."

3. Paragraph 5(a)(ii)(d) on page 4 of the Stipulation should be

modified to read as follows:

"d. Licensee agrees that he may provide healthcare in accordance with this stipulation to female patients under the age of 16 and over the age of 65 if he is accompanied at all times by a female healthcare provider. He may provide emergency room consultations to female patients between the ages of 16 and 65, inclusive, in an emergency room setting if he is accompanied at all times by a female healthcare provider. Licensee may perform inpatient psychiatric evaluations, as well as outpatient medication checkups on female patients of all ages including those between age 16 and 65, inclusive, if he is accompanied at all times by a female healthcare provider. Licensee will maintain a record of all female patients to whom healthcare was provided on a form provided by the Board, and will provide the original of the form to the Board on a weekly basis."

4. Dr. Glen Gabbard is approved by the Board as monitor for Dr. Masferrer.

IT IS THEREFORE BY THE BOARD ORDERED as follows:

(A) That the above findings are hereby made the Order of the Board.

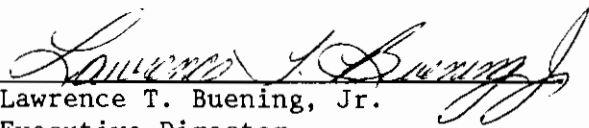
(B) That the Stipulation filed June 18, 1996 is hereby modified as reflected above.

(C) This is a Final Order and is effective upon service upon the parties. Any party may, within 15 days after service, file a Petition for Reconsideration. The filing of a Petition for Reconsideration is not a prerequisite for seeking judicial review.

IT IS SO ORDERED.

DATED this 20th day of March, 1997.

KANSAS STATE BOARD OF HEALING ARTS


Lawrence T. Buening, Jr.
Executive Director

March 20, 1997
Date

CERTIFICATE OF SERVICE

I, Lawrence T. Buening, do hereby certify that on the 20th day of March, 1997, a true and correct copy of the above and foregoing ORDER GRANTING MODIFICATION OF STIPULATION was deposited in the United States mail, first class, postage prepaid to the following:


Mauricio Masferrer, M.D.
1215 Dahlia Street
Denver, Colorado 80220
(303) 377-7703

and

Marcia S. Cook, KS#16321
Blackwell Sanders Matheny Weary
& Lombardi L.C.
40 Corporate Woods, Suite 1200
9401 Indian Creek Parkway
Overland, Kansas 66210
(913) 345-8400
FAX# 344-6375

and a copy was hand-delivered to:

Kevin K. LaChance #15058
Disciplinary Counsel
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
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LAWRENCE T. BUENING, JR.
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