

FILED

CAB

OCT 18 2010

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

KS State Board of Healing Arts

**In the Matter of** )  
**Debabrata Maulik, M.D.** )  
 )  
**Application for Licensure** )  
\_\_\_\_\_ )

Docket No. 11-HA00035

**FINAL ORDER**  
**(Pursuant to K.S.A. 77-501 et seq. )**

Pursuant to the authority granted to the Kansas State Board of Healing Arts (“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 Board hereby enters this Final Order in the above-captioned matter. Members of the Board serving on the Disciplinary Panel for this matter were recused from participation.

**I. Findings of Fact**

The Board has been shown the following facts:

1. Debabrata Maulik, M.D. (“Applicant”), 2301 Holmes Street, Kansas City, MO 64108, submitted an Application for Licensure to Practice Medicine and Surgery (“Application”) in the State of Kansas on or about September 3, 2009. The Application was deemed complete and filed on September 14, 2010.
2. On or about August 3, 2010, Applicant submitted a letter to the Board requesting waiver of the postgraduate training requirements set forth in K.A.R. 100-6-2(b) and licensure by endorsement.
3. Applicant completed his postgraduate training at various institutions. Applicant completed residency programs at the University of Calcutta Medical College Hospitals in Calcutta, India; the Affiliated Hospitals in

London, United Kingdom; and Charing Cross Hospital and Medical School in London, United Kingdom. Applicant also completed fellowship programs at Charing Cross Hospital and Medical School in London, United Kingdom, and Strong Memorial Hospital in Rochester, New York. Applicant specialized in Obstetrics and Gynecology at all of the aforementioned institutions.

Applicant's postgraduate training has not been accredited by the Council of Education of the American Medical Association or its equivalent.

4. With waiver of the postgraduate training requirements of K.A.R. 100-6-2(b), Applicant would be eligible for licensure by endorsement pursuant to K.S.A. 65-2833.
5. Applicant stated that he is currently a Senior Associate Dean and the Chair of Obstetrics and Gynecology at the University of Missouri-Kansas City School of Medicine ("UMKC"). Applicant also runs the Maternal Fetal Medicine Subspecialty Fellowship Program, which was created by the American Board of Obstetrics and Gynecology at UMKC. Applicant also stated that he is currently the Chair of the Fetal Health Center at Children's Mercy Hospital.
6. Applicant currently holds active licenses in the States of Missouri and New York. Applicant is board certified by the American Board of Obstetrics and Gynecology.
7. Applicant has not had a medical license limited, suspended, or revoked or been censured or had other disciplinary action taken against his licenses.

## **II. Applicable Law**

- a. K.S.A. 65-2833
- b. K.A.R. 100-6-2(b)
- c. K.A.R. 100-8-2

## **III. Public Policy Statement**

The public policy of regulating the practice of healing arts in the State of Kansas is set forth in K.S.A. 65-2801:

Recognizing that the practice of the healing arts is a privilege granted by legislative authority and is not a natural right of individuals, it is deemed necessary as a matter of policy in the interests of public health, safety and welfare, to provide laws and provisions covering the granting of that privilege and its subsequent use, control and regulation to the end that the public shall be properly protected against unprofessional, improper, unauthorized and unqualified practice of the healing arts and from unprofessional conduct by persons licensed to practice under this act.

## **IV. Conclusions of Law**

Based upon the Findings of Fact enumerated in Paragraphs #1 through #7, the Applicable Law and the Public Policy Statement set forth above:

### **THE BOARD HEREBY CONCLUDES AS FOLLOWS:**

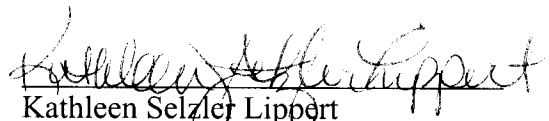
- 8. Applicant sought waiver of the postgraduate training requirements of K.A.R. 100-6-2(b) and licensure by endorsement. Pursuant to K.A.R. 100-6-2(b), applicants that are graduates of an unaccredited school of medicine, shall present proof of completion of a postgraduate training or residency training program that is at least two years in length and approved by the Council of Education of the American Medical Association, or its equivalent, in the year in which the training took place.

9. Applicant's postgraduate training has not been accredited by the Council of Education of the American Medical Association or its equivalent.
10. If waiver of the postgraduate training requirements of K.A.R. 100-6-2(b) is granted, Applicant is eligible for licensure by endorsement by virtue of his active licensure to practice medicine and surgery in the States of Missouri and New York pursuant to K.S.A. 65-2833.
11. Applicant has not had a license limited, suspended, or revoked or been censured or had other disciplinary action taken against his licenses.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS:**

12. Applicant is hereby **GRANTED** a waiver of the postgraduate training requirements as set forth in K.A.R. 100-6-2(b).
13. Applicant is hereby **GRANTED** licensure by endorsement pursuant to K.S.A. 65-2833.
14. The Board shall maintain jurisdiction over this matter to issue any Order(s) deemed necessary and appropriate.

**IT IS SO ORDERED THIS 18<sup>th</sup> DAY OF Oct, 2010, 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, the Board's Executive Director, at 235 SW Topeka Blvd., Topeka, KS 66603.

**CERTIFICATE OF SERVICE**

I, hereby certify that a true copy of the foregoing Final Order was served this 18<sup>th</sup> day of October, 2010 by depositing the same in the United States Mail, first-class postage prepaid and addressed to:

Debabrata Maulik, M.D.  
2301 Holmes Street  
Kansas City, MO 64108

And a copy was hand delivered to the office of:

Julia Mowers, Associate Litigation Counsel  
Kansas State Board of Healing Arts  
235 SW Topeka Blvd.  
Topeka, Kansas 66603

Katy Lenahan, Licensing Administrator  
Kansas State Board of Healing Arts  
235 SW Topeka Blvd.  
Topeka, Kansas 66603  
The original filed with:

Kathleen Selzler Lippert, Executive Director  
Kansas State Board of Healing Arts  
235 SW Topeka Blvd.  
Topeka, KS 66603



\_\_\_\_\_  
Cathy Brown, Executive Assistant