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JUN 24 2013
KS State Board of Healing Arts

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

In the Matter of)
Jay Cee Minton, D.C.)
License No. 01-04701)
_____)

Docket Number: 13-HA00080

FINAL ORDER AND JOURNAL ENTRY OF SATISFACTION

COMES NOW the Kansas State Board of Healing Arts (“Board”), by and through its Executive Director, Kathleen Selzler Lippert (“Executive Director”), a duly authorized representative of the Board in accordance with K.S.A 2010 Supp. 77-514 to conduct summary proceedings pursuant to K.S.A 2010 Supp. 77-537, and, pursuant to the authority in K.S.A. 65-5401, *et seq.*, and, in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, hereby enters the following findings of fact, conclusions of law, and Final Order in the above-captioned matter:

1. Jay Cee Minton, D.C. (“Licensee”), 11940 W Central #102, Wichita, KS 67212, is licensed to practice as a doctor of chiropractic medicine in the State of Kansas, License No. 01-04701, and has been so licensed since February 10, 2001.
2. On April 15, 2013, the Executive Director issued a Summary Order regarding Licensee’s license to practice as a doctor of chiropractic medicine in the State of Kansas.
3. The Summary Order contained a notice that a written request for hearing could be filed within 15 days following service, but if no hearing was requested, the Summary Order would become effective as a Final Order of the Board upon expiration of the time for requesting a hearing.
4. No hearing has been requested by any party.
5. The Summary Order contained a provision assessing a CIVIL FINE against

Licensee in the amount of \$500.00 due on or before May 15, 2013.

6. The Summary Order ordered Licensee to submit proof of 40 hours of continuing education, due within 90 days of the effective date of the Summary Order.

7. The Summary Order provided that Licensee's license shall be suspended for failure to pay the \$500.00 civil fine on or before May 15, 2013.

8. The Summary Order provided that Licensee's license shall be suspended for failure to provide documented evidence of 40 continuing education hours within 90 days of the effective date of the Summary Order.

9. On May 15, 2013, Licensee remitted \$500.00 to the Board for satisfaction of the civil fine.

10. On May 15, 2013, Licensee submitted proof of the required hours of continuing education to the Board for satisfaction of the Summary Order.

THE BOARD HEREBY CONCLUDES AS FOLLOWS:

11. On April 15, 2013, the Executive Director issued a Summary Order regarding Licensee's license to practice as a doctor of chiropractic medicine in the State of Kansas.

12. The Summary Order contained a notice that a written request for hearing could be filed within 15 days following service, but if no hearing was requested, the Summary Order would become effective as a Final Order of the Board upon expiration of the time for requesting a hearing.

13. No hearing has been requested by any party.

14. The Summary Order contained a provision assessing a civil fine against Licensee in the amount of \$500.00 due on or before May 15, 2013.

15. The Summary Order ordered Licensee to submit proof of 40 hours of continuing education, due within 90 days of the effective date of the Summary Order.

16. The Summary Order provided that Licensee's license shall be suspended for failure to pay the \$500.00 civil fine on or before May 15, 2013.

17. The Summary Order provided that Licensee's license shall be suspended for failure to provide documented evidence of 40 continuing education hours within 90 days of the effective date of the Summary Order.

18. On May 15, 2013, Licensee remitted \$500.00 to the Board for satisfaction of the civil fine.

19. On May 15, 2013, Licensee submitted proof of the required hours of continuing education to the Board for satisfaction of the Summary Order.

IT IS, HEREBY ORDERED BY THE KANSAS STATE BOARD OF HEALING ARTS THAT:

20. The Summary Order became effective as a Final Order on April 30, 2013.


21. Licensee has satisfied the provision of the Summary Order requiring payment of the civil fine.

22. Licensee has satisfied the provision of the Summary Order requiring submission of the specified continuing education hours.

23. Licensee has satisfied all requirements of the Summary Order and has no further obligation for compliance.

24. The Board shall maintain jurisdiction over this matter to issue any Order(s) deemed necessary and appropriate.

IT IS SO ORDERED THIS 24 DAY OF June, 2013, 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 800 SW Jackson, Lower Level – Suite A, Topeka, Kansas 66612.

CERTIFICATE OF SERVICE

I do hereby certify that on the 24th day of June, 2013, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

Jay Cee Minton DC
11940 W Central #102
Wichita, KS 67212

Courtesy Copy provided:

Office of the General Council
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

The original filed with:

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

Cathy A. Brown

Cathy Brown
Executive Assistant



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BEFORE THE BOARD OF HEALING ARTS OF THE STATE OF KANSAS

KS State Board of Healing Arts

In the Matter of)
JAY CEE MINTON, D.C.)
)
Kansas License No. 01-04701)
_____)

Docket No. 13-HA00080

SUMMARY ORDER

NOW ON THIS 15th day of April, 2013, this matter comes before Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537. This Summary Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for hearing is made, pursuant to K.S.A. 77-542.

Upon review of the agency record and being duly advised in the premises, the following findings of fact, conclusions of law and order are made for and on behalf of the Board:

Findings of Fact

- 1. Jay Cee Minton, D.C. ("Licensee"), 11940 W Central #102, Wichita, KS 67212, is licensed to practice as a doctor of chiropractic in the State of Kansas, License No. 01-04701, and has been so licensed since February 10, 2001.
2. Pursuant to K.A.R. 100-15-1, Licensee's license to practice as a doctor of chiropractic in the State of Kansas expires on December 31 of each year. On or about January 29, 2013, Licensee submitted an application for licensure renewal.
3. Pursuant to K.S.A. 65-2809 and K.A.R. 100-15-5, each Licensee desiring to renew a license to practice as a doctor of chiropractic shall certify upon renewal the completion of one of the following: (1) A minimum of 50 hours of continuing education, with a minimum of 20 Category I hours and a maximum of 30 Category II hours, earned July 1, 2011, through

December 31, 2012; (2) a minimum of 100 continuing education hours, with a minimum of 40 Category I hours and a maximum of 60 Category II hours, earned July 1, 2010, through December 31, 2012; or (3) a minimum of 150 hours of continuing education, with a minimum of 60 Category I hours and a maximum of 90 Category II hours, earned July 1, 2009, through December 31, 2012.

4. Pursuant to K.A.R. 100-15-6, each Licensee shall maintain documentation of completion of the continuing education requirements for at least four (4) years following the date of certification, and provide proof of satisfactory completion to the Board upon request.

5. On or about January 28, 2013, the Licensee submitted a request for an extension to February 8, 2013, in completing his continuing education hours, due to children's athletic activities.

6. On or about January 30, 2013, the Board denied the extension request. Pursuant to K.A.R. 100-15-3 (b), an extension that does not exceed six months may be granted by the board to any applicant for renewal who, during the 12-month period prior to the renewal date, suffered an illness or accident which made it impossible or extremely difficult for that applicant to reasonably obtain the required continuing education. Licensee's request did not meet this requirement.

7. On or about January 31, 2013, the Licensee chose to renew his license without the required continuing education hours.

8. On or about February 6, 2013, the Licensee submitted proof of 30 hours of Category II hours earned between July 1, 2011, and December 31, 2012. The Licensee also submitted 12 hours of Category I earned after the continuing education cycle on February 5, 2013, which applied towards the hours he is short.

9. By failing to provide documented evidence of completion of the continuing education requirements, Licensee violated K.S.A. 65-2836(k) by violating any lawful order or rule and regulation of the Board, specifically K.A.R. 100-15-5 and K.A.R. 100-15-6.

10. By failing to provide documented evidence of completion of the continuing education requirements, Licensee violated K.S.A. 65-2836 (k) by violating any lawful order or rule and regulation of the Board, specifically, K.A.R. 100-15-5 and 100-15-6. Further, Licensee violated K.S.A. 65-2836(r) by failing to furnish to the Board, or its investigators or representatives, any information legally requested by the Board.

11. In addition to any other penalty prescribed under the Healing Arts Act, K.S.A. 65-2863a authorizes the Board to assess a civil fine in an amount not exceeding \$5,000 for the first violation of the Healing Arts Act.

IT IS, HEREBY ORDERED BY THE KANSAS STATE BOARD OF HEALING ARTS THAT:

12. Licensee is hereby assessed a **CIVIL FINE** for failure to comply with the Board's legal request for information.

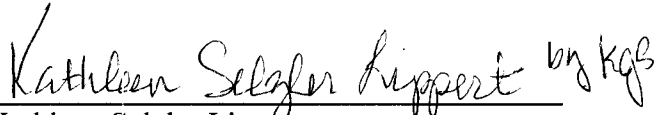
13. Licensee is hereby ordered to pay the assessed **CIVIL FINE** pursuant to K.S.A. 65-2863a in the amount of **500.00**. The total amount of **500.00** shall be due on or before May 15, 2013.

14. Licensee shall make all payments payable to the Kansas State Board of Healing Arts and send all payments to the attention of: Licensing Audit Coordinator, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, Kansas 66612.

15. Licensee shall complete 28 hours of continuing education and submit proof of completion to the Board within 90 days following service of this Summary Order.

IT IS SO ORDERED that Licensee's license may be **SUSPENDED** for failure to provide proof of the continuing education requirement and/or payment of the fine within the timeframe specified above.

IT IS SO ORDERED THIS 15th DAY OF April, 2013, 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
(Pursuant to K.S.A. 77-542)

Licensee is entitled to a hearing pursuant to K.S.A. 77-537 and K.S.A. 77-542, the Kansas Administrative Procedure Act. If Licensee desires a hearing, Licensee must file a written request for a hearing with:

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

This request must be filed within fifteen (15) days from the date of service of this Order. If Licensee requests a hearing, the Kansas State Board of Healing Arts will notify the Licensee of the time and place of the hearing and information on the procedures, right of representation, and other rights of parties relating to the conduct of the hearing, before commencement of the same.

If a hearing is not requested in the time and manner stated above, this Summary Order shall become effective as a Final Order upon the expiration of time for requesting a hearing, pursuant to K.S.A. 77-542. In the event Licensee files a petition for judicial review, pursuant to K.S.A. 77-613(e), the agency officer to be served on behalf of the Kansas State Board of Healing Arts is the Executive Director.

CERTIFICATE OF SERVICE

I do hereby certify that on the 15th day of April, 2013, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

Jay Cee Minton Dc
11940 W. Central #102
Wichita, KS 67212

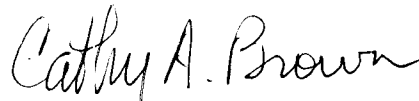
Courtesy Copy provided:

Office of the General 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

The original filed with:

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