

**FILED**  
DEC 20 2013  
KS State Board of Healing Arts

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

**In the Matter of** )  
**Sharon Mitchell, M.D.** )  
 ) **KSBHA Docket No. 10-HA00050**  
**Kansas License No. 04-27259** )  
\_\_\_\_\_ )

**FINAL ORDER GRANTING TERMINATION OF PROBATION**

NOW on this 13th day of December 2013, comes before the Kansas State Board of Healing Arts ("Board") the request of Sharon Mitchell, M.D. ("Licensee") for termination of the probationary monitoring requirement contained in the Consent Order filed on October 19, 2009. Licensee appears in person and *pro se*. Jane Weiler, 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 Board hereby enters this Final Order in the above-captioned matter. After reviewing the agency record, hearing the statements and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. Licensee is licensed to engage in the practice of medicine and surgery in the State of Kansas, having been issued License No. 04-27259.
2. On or about October 19, 2009, Licensee entered into a Consent Order with the Board to resolve concerns regarding allegations against Licensee involving failure to keep adequate medical records, fraudulent billing, and doing unnecessary testing.
3. The Consent Order placed Licensee's license under probation and required the that she comply with the following terms and conditions:

- a. Attend and successfully complete a continuing education course for record-keeping by the Center for Personalized Education for Physicians (“CPEP”).
- b. Contact Coding and Compliance Initiative, Inc. (“CCI”), and arrange for regular charting monitoring. Licensee’s charting monitoring included the requirement that her billing practices be audited to ensure adherence to accepted standards in the medical profession.

4. The Consent Order’s terms of probation allowed Licensee to petition the Board for modification or termination after three (3) years.

5. On or about September 7, 2010, Licensee submitted to the Board the certificate of attendance that she completed the required Patient Care Documentation Seminar from CPEP.

6. On or about December 29, 2009, through October 10, 2013, CCI submitted twenty-eight (28) medical record reviews to the Board regarding Licensee’s Current Procedural Terminology (“CPT”) coding accuracy. CCI reviewed random patient medical records to compare the level of codes reported by Licensee verses the codes recommended by CCI. Using this information, CCI computed a CPT coding accuracy rate based upon Licensee’s billing and coding practice.

7. On November 6, 2013, Licensee submitted a request to the Board for termination of the Consent Order.

8. On November 15, 2013, the Respondent Board filed a Response to Petition for Termination of Monitoring.

9. Based on the evidence presented, the Board finds that Licensee has satisfactorily met all requirements of the Consent Order and concludes that termination of PROBATION, including the monitoring requirements, is warranted.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** that Licensee's **PROBATION**, including monitoring requirements, imposed by the Consent Order filed on October 19, 2009, is hereby **TERMINATED**.

**IT IS SO ORDERED THIS 18 DAY OF Dec, 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, 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 and correct copy of the above and foregoing **Final Order** was served this 20<sup>th</sup> day of December, 2013 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

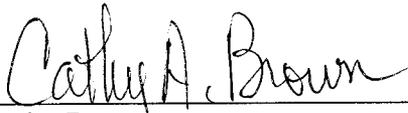
Sharon Mitchell, MD  
13 Village Plaza  
Liberal, KS 67901

And a copy was hand-delivered to:

Jane Weiler, Associate Litigation Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

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.

  
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Cathy Brown  
Executive Assistant