

**FILED**

**DEC 18 2002**

**KANSAS STATE BOARD OF  
HEALING ARTS**

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

**In the Matter of** )  
 )  
**JOHN M. NELSEN, D.C.** )  
**Kansas License No. 1-04394** )  
\_\_\_\_\_ )

**Docket No. 01-HA-29**

**FINAL ORDER**

NOW ON THIS 14th Day of December 2002, this matter comes before the Board to review an Initial Order issued by Raymond N. Conley, D.C., Presiding Officer. There are no requests for oral arguments.

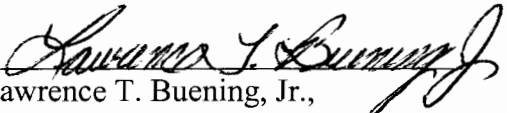
Having the agency record before it, the Board finds, concludes and orders that the Initial Order is appropriate, and is hereby adopted as the Final Order of the Board.

**IT IS, THEREFORE, ORDERED** that the Board accepts Respondent's offer to surrender his license to practice chiropractic.

**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. 77-610, et seq. Reconsideration of the 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 the Board's executive director at 235 S. Topeka Blvd., Topeka, KS 66603.

DATED THIS 19<sup>th</sup> Day of December, 2002.

Kansas State Board of Healing Arts

  
Lawrence T. Buening, Jr.,  
Executive Director

**Certificate of Service**

I certify that the foregoing *Final Order* was served this 19<sup>th</sup> day of December, 2002 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

John M. Nelsen, D.C.  
316 Windrows Lake Drive  
Goddard, Kansas 67052-9410

and a copy was hand-delivered to the office of:

Stacy L. Cook  
Litigation Counsel  
235 S. Topeka Blvd.  
Topeka, Kansas 66603



**F I L E D**

OCT 30 2002

KANSAS STATE BOARD OF  
HEALING ARTS

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

In the Matter of )  
 )  
JOHN M. NELSEN, D.C. )  
Kansas License No. 1-04394 )  
\_\_\_\_\_ )

**Docket No. 01-HA-29**

**INITIAL ORDER**

NOW ON THIS Fifteenth Day of October 2002, this matter comes on for a formal hearing before Raymond N. Conley, D.C. Stacy L. Cook, Litigation Counsel, appears for Petitioner. Respondent appears *pro se*.

After hearing the statements of the parties, the Presiding Officer finds, concludes and orders as follows:

1. Respondent does not dispute that he has been convicted of driving under the influence  
**(Confidential)**

2. Respondent offers to surrender his license to practice chiropractic **(Confidential)**  
**(Confidential)**

**(Confidential)** This offer of surrender is made with the knowledge that the matter will be reported to the National Practitioner Data Bank pursuant to federal law, and with the knowledge that as a condition to reinstating his license, Respondent must show clear and convincing evidence of rehabilitation and

that he is able to practice chiropractic with skill and safety.

3. The parties agree that the provisions of K.S.A. 65-2844 do not apply to Respondent's future efforts to reinstate his license. That statute precludes an application for reinstatement for three years following revocation of a license.

4. The parties agree that without a license, Respondent does not have the financial ability to pay the costs of this proceeding, and that any assessment of costs should be made at the time Respondent seeks reinstatement of his license.

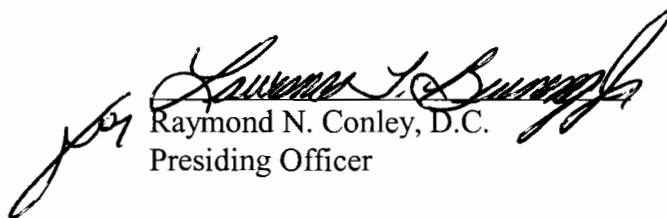
5. A protective order is appropriate to preserve the confidentiality of the exhibits offered in this case. The parties are ordered not to disclose those exhibits unless ordered by the Board or by a court of competent jurisdiction. This protective order shall not prevent the parties from using any portion of the agency record in any future proceeding before the Board in which Respondent is a party.

**IT IS, THEREFORE, ORDERED** that the Board accepts Respondent's offer to surrender his license to practice chiropractic.

**PLEASE TAKE NOTICE** that the Board will conduct review of this Initial Order and issue a Final Order on December 14, 2002 at 10:00 a.m., or as soon thereafter as time permits. This order will not become effective as a Final Order until approved by the Board following review.

**Dated this 29<sup>th</sup> Day of October 2002.**

Kansas State Board of Healing Arts

  
Raymond N. Conley, D.C.  
Presiding Officer

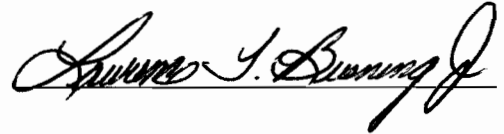
**Certificate of Service**

I certify that the foregoing Initial Order was served this 30<sup>th</sup> day of October 2002 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

John M. Nelsen, D.C.  
316 Windrows Lake Drive  
Goddard, Kansas 67052-9410

and a copy was hand-delivered to the office of:

Stacy L. Cook  
Litigation Counsel  
235 S. Topeka Blvd.  
Topeka, Kansas 66603

A handwritten signature in cursive script, reading "Lawrence J. Bunning", written over a horizontal line.