BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of

Mihaela Onciu, M.D.
Kansas License No. 04-35378

KSBHA Docket No. 21-HA00087

JOURNAL ENTRY LIFTING SUSPENSION, DENYING MOTION TO STAY, AND
GRANTING MOTION FOR RECONSIDERATION AND FURTHER PROCEEDINGS

The Kansas State Board of Healing Arts ("Board"), by its Executive Director, Tucker L. Poling, a duly authorized representative of the Board, in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501 et seq., as amended, and upon due consideration of the agency record, the applicable statutes and regulations, and being otherwise duly advised in the premises, makes the following determinations:

1. On June 23, 2021, a Final Order was issued by the Board against the license of Mihaela Onciu, M.D. ("Licensee"), imposing requirements therein and suspending her license until such time as she came into compliance with Kansas Health Care Stabilization Fund ("KHCSF").

2. Under K.S.A. 77-613, Licensee had 30 days following the service of the Final Order to file a Petition for Judicial Review and such notice of rights was provided in Licensee’s Final Order served on her last known mailing address to the Board.

3. Licensee did not file a Petition for Judicial Review of the Final Order 30 days following service of the Final Order.
4. On or about August 9, 2021, Licensee, through counsel, filed a Motion for Reconsideration and Further Proceedings and Motion to Stay Final Order Pending Reconsideration.

5. On or about August 10, 2021, the Board received notice from KHCSF that Licensee had paid the surcharges required by K.S.A. 40-3404, bringing her into compliance.

6. On or about August 12, 2021, Associate Litigation Counsel filed a Motion to Modify Final Order and/or Lift Suspension.

7. The risk associated with Licensee practicing medicine and surgery without coverage by the KHCSF has been remedied and the suspension is lifted.

8. Pursuant to K.S.A. 77-528, Licensee’s Motion to Stay the Final Order is not timely and accordingly denied.

9. While also not timely pursuant to K.S.A. 77-529, considering the facts alleged in the Motion for Reconsideration and given it is unopposed, Licensee’s Motion for Reconsideration and Further Proceedings is granted and will be heard at the offices of the Board, 800 S.W. Jackson, Lower Level – Suite A, Topeka, Kansas, on Friday, October 8, 2021, at a time to be determined later. A Notice of Hearing will be issued in accordance with K.S.A. 77-518.

Therefore, the Motion to Modify Final Order and/or Lift Suspension is **GRANTED**, the suspension of Licensee’s license to practice medicine and surgery in Kansas is **LIFTED**, the Motion to Stay **DENIED**, and the Motion for Reconsideration and Further

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Journal Entry Lifting Suspension, Denying Motion to Stay, and Granting Motion for Reconsideration and Further Proceedings

*In the Matter of Mihaela Ociu, M.D.; KSBHA Docket No. 21-HA00087*
Proceedings is **GRANTED.**

**IT IS SO ORDERED.**

Dated this 18th day of August 2021.

[Signature]

**KANSAS STATE BOARD OF HEALING ARTS**

Tucker L. Poling  
Executive Director

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*In the Matter of Mihaela Onciu, M.D.*  
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I served a true and correct copy of the above and foregoing Journal Entry Lifting Suspension, Denying Motion to Stay, and Granting Motion for Reconsideration and Further Proceedings, by depositing the same in the United States mail, first class postage prepaid and emailed, on this 13th day of August 2021, addressed to:

Mihaela Onciu, M.D.

Licensee

Anne M. Kindling
Joseph Hollander & Craft, LLC
1508 SW Topeka Blvd
Topeka, KS 66612
akindling@josephhollander.com
Attorney for Licensee

And a copy hand delivered to:

Compliance Coordinator
Kansas Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Matthew Gaus,
Associate Litigation Counsel
Kansas Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Licensing Administrator
Kansas Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Journal Entry Lifting Suspension, Denying Motion to Stay, and Granting Motion for Reconsideration and Further Proceedings

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KSBAHA Docket No. 21-HA00087
and the original was filed with:

Tucker Poling, Executive Director
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level - Suite A
Topeka, Kansas 66612