

FILED

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

APR 22 2004

**KANSAS STATE BOARD OF
HEALING ARTS**

In the Matter of)
)
DAVID R. OTTO, M.D.)
Kansas License No. 04-27578)
_____)

Docket No. 02-HA-34

FINAL ORDER

NOW ON THIS Seventeenth Day of April 2004, this matter comes before the Board upon a motion by David R. Otto, M.D. to terminate the terms of the June 2002 consent order. Licensee appears in person and through Steve A. Schwarm, Attorney at Law. Stacy L. Cook appears for the Board.

The Board finds that, for good cause shown, the terms of the consent order should be modified to allow Licensee, upon meeting all requirements for an active license, to change his license designation from inactive to active, subject to a limitation that Licensee may not provide anesthesia services except in the course of an educational plan prescribed by the Center for Education for Physicians.

The Board further finds that Licensee should comply with all requirements **(Confidential)** ~~(Confidential)~~ for a five-year period.


IT IS, THEREFORE, ORDERED that upon meeting all requirements for an active license, Licensee may change his license designation from inactive to active, and that active license shall be subject to a limitation that Licensee may not provide anesthesia services except in the course of an educational plan prescribed by the Center for Education for Physicians.

IT IS FURTHER ORDERED that Licensee shall comply with all requirements of a **(Confidential)** for a five-year period.

PLEASE TAKE NOTICE that this Final Order is effective upon service. A party 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 22nd Day of April 2004.

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 22nd day of April 2004 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Steve A. Schwarm
Polsinelli, Shalton & Welte, PA
555 Kansas Avenue, Suite 301
Topeka, KS 66603

and a copy was hand-delivered to:

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

