

**FILED**

*CAK*

JUN 27 2008

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

K.S. State Board of Healing Arts

In the Matter of	)	
	)	
<b>DAVID OTTO, M.D.</b>	)	<b>Docket No. 02-HA-00034</b>
<u>Kansas License No. 04-27576</u>	)	

**FINAL ORDER FOLLOWING CONFERENCE HEARING**

**NOW**, on this 21st day of June, 2008, comes on for conference hearing before the Kansas State Board of Healing (“Board”) the Motion for Termination of Board Consent Order filed by David Otto, M.D. (“Licensee”). Licensee appears in person and with counsel, Steve A. Schwarm, Topeka. Kelli Stevens, Litigation Counsel, appears for the Board.

After reviewing the file, hearing the statements of the parties, and being duly advised in the premises, the Board finds, concludes and orders as follows:

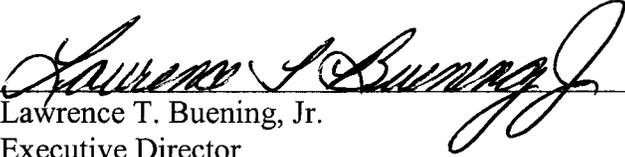
1. Licensee agreed to a Consent Order that was approved by the Board and was filed June 4, 2002.
2. In the Consent Order, Licensee agreed to certain provisions regarding his license to practice medicine and surgery.
3. The Consent Order was subsequently modified by a Final Order filed April 22, 2004 and an Agreed Final Order filed December 14, 2005.
4. Licensee has been in compliance with the Consent Order as modified.
4. The Consent Order and the provisions imposed upon Licensee by such Consent Order should be terminated.

**IT IS THEREFORE ORDERED** that Licensee's Motion to Terminate Board Consent Order filed February 26, 2008, should be granted and the Consent Order should have no further force or effect.

**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 District Court as authorized under the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions, K.S.A. 77-601 *et seq.* A petition for judicial review is not timely unless filed within 30 days following service of the Final Order. A copy of any such petition must be served upon the Board addressed to the Executive Director, 235 S. Topeka Boulevard, Topeka, Kansas 66603. A request for reconsideration is not a prerequisite to judicial review.

**DATED** this 27<sup>th</sup> day of June, 2008.

**KANSAS STATE BOARD OF HEALING ARTS**

  
Lawrence T. Buening, Jr.  
Executive Director

**CERTIFICATE OF SERVICE**

I, do hereby certify that on the 30<sup>th</sup> day of June, 2008, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid, to the following:

David Otto, M.D.  
842 N Bristol Ct.  
Wichita, KS 67206

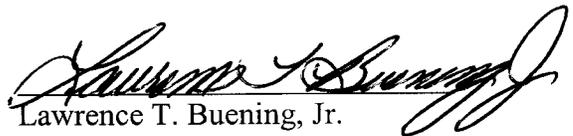
and

Steve A. Schwarm, Esq.  
One Aviva Place  
555 Kansas Avenue, Suite 101  
Topeka, KS 66603

and a copy hand delivered to the office of:

Kelli Stevens, Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, KS 66603

and the original filed with the office of the Executive Director.

  
Lawrence T. Buening, Jr.  
Executive Director  
(785) 296-3680