

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

In the Matter of  
CARIDAD PADRON, M.D.

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KSBHA Docket No. 22-HA00027

Application for Licensure to  
Practice Medicine and Surgery

**FINAL ORDER**

On February 11, 2022, this matter came before the Kansas State Board of Healing Arts (“Board”) for a Conference Hearing on Dr. Caridad Padron, M.D.’s (“Applicant”) application for licensure to practice medicine and surgery in Kansas. Applicant appeared in person, *pro se*. The Board’s Disciplinary Panel appeared through Lyddie Hornbaker, Associate Litigation Counsel. Board members Dr. Koontz, Dr. Suber, Dr. Balderston, Ms. Wattenbarger, and Dr. Bradbury were recused.

Under the authority granted to the Board by the Kansas Healing Arts Act, K.S.A. 65-2801 *et seq.*, and in accordance with the provisions of the Kansas Administrative Procedure Act, (“KAPA”), K.S.A. 77-501 *et seq.*, the Board enters this Final Order. After reviewing the agency record, hearing the arguments of the parties, and being duly advised in the premises, the Board makes the following findings, conclusions, and orders.

**PROCEDURAL HISTORY**

On or about October 7, 2021, Applicant submitted an original application to the Board to practice medicine and surgery in Kansas. That application was deemed complete and filed with the Board on February 4, 2022. The Board’s Disciplinary Panel, through Associate Litigation Counsel, submitted a Response in Support of Active Licensure to Practice Medicine and Surgery on February 7, 2022.

Pursuant to K.S.A. 77-504, Applicant knowingly and voluntarily waived her right to a notice of a hearing at least ten days prior before the hearing under K.S.A. 77-518. No objection to the Notice of Hearing was filed.<sup>1</sup>

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<sup>1</sup> In advance of the oral arguments, the Board was provided the entire agency record to facilitate a comprehensive understanding of the underlying matter, including all exhibits, briefs, and motions filed by the parties in advance of oral arguments. The entire agency record was considered by the Board in rendering its decision.

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**Final Order**  
***In the Matter of Caridad Padron, M.D.,***  
**KSBHA Docket No. 22-HA00027**

## FINDINGS OF FACT

1. On or about October 7, 2021, Applicant submitted an original application for an active status to practice medicine and surgery in Kansas. Such application was deemed complete and filed with the Board on February 4, 2022. (“Application”).
2. Applicant's most recent mailing address as provided to the Board is: CONFIDENTIAL  
Applicant's most recent email address provided to the Board was: CONFIDENTIAL.
3. On or about March 2, 1993, Applicant pled guilty to one count Armed Burglary pursuant to F.S.A. 810.02(2)(b), a 1st degree felony, and two counts Grand Theft pursuant to F.S.A. 812.014(1), 3rd degree felonies, in Broward County, Florida. Applicant was 17 years old at the time of the arrest and convictions.
4. Applicant was sentenced to serve four years in the youthful offender facility. Afterward, Applicant was placed on probation for three years. After incarceration, Applicant complied and successfully completed probation.
5. Applicant submitted a statement to the Board providing context to the criminal case, and evidence of rehabilitation. This letter states in part:

Applicant explained that back in 1992, when she was a juvenile, she was arrested for burglary and grand theft. She advised she was involved with the wrong crowd but had nobody to blame but herself. She expressed her regret for her actions. She was ultimately charged as an adult and spent two years in jail. Upon her release, she immediately returned to school and was working full-time to pay for her education. She earned a bachelor’s degree, an MBA, and her medical degree from Avalon University School of Medicine. She said she was recognized as Resident of the Year, Senior Resident of the Year, and Nurses’ Favorite Resident. Additionally, she graduated magna cum laude from medical school.

6. At the February 11, 2022 Conference Hearing, Applicant testified substantially similar to her statements in her letter to the Board.
7. The Board’s Disciplinary Panel strongly supported approving Applicant’s original application.

## APPLICABLE LAW

Under K.S.A. 65-2836, “A licensee's license may be revoked, suspended or limited, or the licensee may be publicly censured or placed under probationary conditions, or an application for a license

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**Final Order**  
*In the Matter of Caridad Padron, M.D.,*  
**KSBHA Docket No. 22-HA00027**

or for reinstatement of a license may be denied upon a finding of the existence of any of the following grounds:

(c) ... In the case of a person who has been convicted of a felony or convicted in a general court-martial and who applies for an original license or to reinstate a canceled license, the application for a license shall be denied unless a 2/3 majority of the board members present and voting on such application determine by clear and convincing evidence that such person will not pose a threat to the public in such person's capacity as a licensee and that such person has been sufficiently rehabilitated to warrant the public trust..”

### CONCLUSION

This is a case in which a physician applying for Kansas licensure, has been convicted of felonies, specifically Armed Burglary and Grand Theft, when she was a juvenile. The crimes were certainly significant, and the Board does not take the convictions lightly. However, the Board notes they occurred when Applicant was a juvenile, approximately 30 years ago. Since that time, she has received a bachelor's degree, master's degree, and her medical degree all while holding full time employment. Further, there is no evidence of Applicant having any other issues with the law. Based on the Board's opportunity to observe and consider Applicant's testimony, including questioning by the Board, the Board finds Applicant to be credible and a convincing witness. The Board finds Applicant's testimony to be accurate and trustworthy.

In determining whether Applicant is sufficiently rehabilitated from her actions to warrant public trust, the Board considered whether Applicant appreciated the wrongfulness of her actions, whether she is committed to never repeating such actions, and whether there is a significant danger that she will repeat similar actions. More than a 2/3 majority of the Board members present and voting found Applicant had proven, by clear and convincing evidence, that Applicant understands the wrongfulness of her actions, has rehabilitated herself, and there is very little danger that she will ever commit any similar bad acts as a member of the medical profession.

Under K.S.A. 65-2836(c), the core findings that rebut the presumption of denial of licensure in this case are: (1) Applicant will not pose a threat to the public in her capacity as a doctor; and (2) Applicant's rehabilitation is sufficient to warrant public trust. More than a 2/3 majority of the Board members present and voting found Applicant had proven, by clear and convincing evidence, that Applicant will not pose a threat to the public. Therefore, denial of licensure is not the legally or practically appropriate consequence under the facts of this case. Therefore, the Board grants Applicant's license to practice medicine and surgery in Kansas.

**IT IS SO ORDERED that the APPLICATION is GRANTED.**

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**Final Order**

***In the Matter of Caridad Padron, M.D.,***

**KSBHA Docket No. 22-HA00027**

**KANSAS STATE BOARD OF HEALING ARTS**

*Susan Gile*

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Susan Gile, Acting Executive Director

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**Final Order**

***In the Matter of Caridad Padron, M.D.,***  
**KSBHA Docket No. 22-HA00027**

**NOTICE OF APPEAL 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. Under K.S.A. 77-529, parties 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 Susan Gile, Acting Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing **FINAL ORDER** was served, by depositing the same in the United States mail, postage prepaid, and emailed on this 11<sup>th</sup> day of March 2022, addressed to:

Caridad Padron, M.D.  
**CONFIDENTIAL**

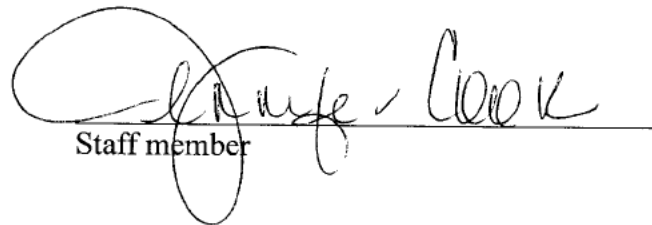
Caridad Padron, M.D.  
**CONFIDENTIAL**

And hand-delivered to:

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

Licensing Administrator  
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.

  
Staff member