

BEFORE THE KANSAS STATE BOARD OF HEALING ARTS

KANSAS STATE BOARD OF HEALING ARTS,)
)
 Plaintiff,)
)
 vs.)
)
 J. Melvin Quiring, D.C.)
)
 Defendant,)

ORDER OF SUSPENSION

NOW on this 18th day of August 1979, the Petition for revocation, suspension or limitation of license of J. Melvin Quiring, D.C., comes on for hearing before the Kansas State Board of Healing Arts.

The hearing committee appointed under authority of K.S.A. 65-2844 presented its findings and recommendations to the Board.

The Board, having considered the findings and recommendations of the committee, finds as follows:

A. JURISDICTION

1. This action was commenced by the filing of a verified Petition before the Board on June 28, 1979, by Wallace M. Buck, Jr., Attorney for the Board and Special Assistant Attorney General for the State of Kansas, at the direction of the Board.

2. The defendant, J. Melvin Quiring, D.C., was served with a copy of the Petition, and was further notified of the time and place of the hearing, pursuant to K.S.A. 1977 Supp. 65-2843.

3. The defendant J. Melvin Quiring, D.C., holds a license to practice Chiropractic as the branch of the healing arts in Kansas. He is a resident of 19 Rolling Hills Drive, Wichita, Kansas 67212.

4. Pursuant to K.S.A. 1978 Supp. 65-2843 et seq, the time and place for the hearing was set as August 11, 1979, at 9:00 a.m. at the Board of Healing Arts, 503 Kansas Ave., Suite 500, Topeka, Kansas.

5. The hearing was held at the above-noted time and place. The following Board members were present and constituted the hearing panel:

Don L. McKelvey, D.C.

Joan Marshall, D.C.

William C. Swisher, M.D.

Jerry Jumper, D.O.

James McClure, M.D.

6. The defendant appeared with his attorneys, Mr. Jack Focht and Don Lambdin, Wichita, Kansas.

7. The Board was represented by Wallace M. Buck, Jr., Attorney for the Board and Special Assistant Attorney General.

B. EVIDENCE ADDUCED AT HEARING

1. Defendant, J. Melvin Quiring, D.C., was duly licensed to practice Chiropractic as a branch of the healing arts in Kansas. At all times mentioned herein subsequent to that date, up to and including the date of the hearing, he was licensed to practice.

2. That a verified Petition was filed herein on or about June 29, 1979, charging defendant as follows:

Immoral, unprofessional or dishonorable conduct or professional incompetency, more specifically stated as follows:

(a) That in or about the months of May, 1978 through June, 1978, this defendant took indecent liberties with a female, under the age of 16 years, while said female was a patient of the defendant; that the treatment and manner of rendering treatment was not in the best interest of the patient, was not proper treatment for the symptoms as related to the defendant by this patient and was professionally immoral, and incompetent.

(b) That in or about the months of April 1978 through June, 1978, this defendant took indecent liberties with a female, while said female was a patient of this defendant; that the treatment and manner of rendering treatment for the symptoms as related to the defendant by this patient and was professionally immoral, and incompetent.

(c) That in or about the months of May 1978 through June 1978, this defendant took indecent liberties with a female, while said female was a patient of this defendant; that the treatment and manner of rendering treatment was not in the best interest of the patient, was not proper treatment for the symptoms as related to the defendant by this patient and was professionally immoral, and incompetent.

3. The following facts are established from the evidence offered and received:

(a) That defendant took indecent liberties with females, all as set out in paragraphs 2 (a) (b) (c) above; specifically the female referred to in paragraph 2 (a).

(b) That defendant performed services on each of the three females, above referred to, not requested by said females, specifically the female referred to in paragraph 2 (a).

(c) That defendant conducted himself in an improper, immoral and unprofessional manner with reference to his proposed treatment services to each of the three females, above referred to, specifically the female referred to in paragraph 2 (a).

(d) That defendant was performing services with reference to said three females above referred to, in a professionally incompetent manner, specifically the female referred to in paragraph 2 (a). Not in the best interests of patients.

(e) Said allegations, paragraph 2 above, have been supported by evidence in the manner set forth in paragraph 3 (a) (b) (c) and (d).

C. CONCLUSION OF LAW

1. Findings of facts, as shown in paragraph 3 (a) (b) (c) (d) and (e) are violations of Kansas Statutes, including K.S.A. 1978 65-2836 and 65-2837.

D. DECISION OF THE BOARD

1. That the defendant be adjudged guilty of allegations set forth in paragraphs of section B above.

2. That the license of J. Melvin Quiring, D.C., is

hereby suspend for one (1) year, all as pursuant to K.S.A. 65-2844, and
(Confidential)

IT IS THEREFORE BY THE BOARD ORDERED:

1. That the license of J. Melvin Quiring, D.C., is hereby suspended, as stated in paragraph D, commencing on the date this order is served upon defendant, or should any restraining order/injunction proceedings be granted by any court, or should any appellate process stay the execution of this order, then the time of suspension shall commence on the date any stay order should expire.
2. That the defendant shall pay the costs of this proceeding as provided by law.

KANSAS STATE BOARD OF HEALING ARTS

By: William C. Swisher M.D.
William C. Swisher, M.D., Secretary

A copy of this order was personally served on J. Melvin Quiring, D.C.
this 20th day of August 1979, by C. Robert McGuire, Board Investigator.
(1:10 p.m.)

C. Robert McGuire
C. Robert McGuire