

BEFORE THE KANSAS STATE BOARD OF HEALING ARTS

In the matter of  
HOWARD B. REIFE, D.P.M.  
Kansas License Number 124

ENFORCEMENT ORDER

NOW, on this 12th day of December, 1988, this matter comes before the Board as a result of a Stipulation having been entered into between the Board and the above-named podiatric Licensee.

After reviewing the files and being otherwise duly advised in the premises, the Board finds as follows:

1. That the Board and Howard B. Reife, D.P.M. have entered into a Stipulation, a true copy of which is attached hereto as "Exhibit A" and incorporated herein by reference.

2. That the attached Stipulation should be approved and that Howard B. Reife, D.P.M. should be publicly censured and fined a sum of \$500 (five hundred dollars), said amount to be paid on or before May 3, 1989.

IT IS THEREFORE BY THE BOARD ORDERED AS FOLLOWS:

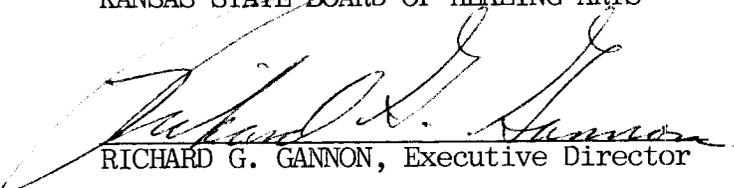
1. That the findings hereinabove made be and the same are made the order of the Board.

2. That Howard B. Reife, D.P.M. be publicly censured

3. That Howard B. Reife, D.P.M. be fined in the amount of \$500, said fine to be paid on or before May 3, 1989.

IT IS SO ORDERED.

KANSAS STATE BOARD OF HEALING ARTS

  
RICHARD G. GANNON, Executive Director

Dec. 12, 1988  
DATE

Prepared by:  
LAWRENCE T. BUENING, Jr.  
General Counsel  
Kansas State Board of Healing Arts  
900 S.W. Jackson, Suite 553  
Topeka, KS 66612  
(913) 296-7413

NOV 3 1988

STIPULATION**KANSAS STATE BOARD OF  
HEALING ARTS**

THIS AGREEMENT made and entered into this 3<sup>d</sup> day of November 1988, by and between the KANSAS STATE BOARD OF HEALING ARTS (hereinafter referred to as "Board") and HOWARD B. REIFE, D.P.M. (hereinafter referred to as "Licensee").

## WITNESSETH:

WHEREAS, Licensee is licensed by the Board to practice podiatry in the State of Kansas and is the holder of certificate number 124; and

WHEREAS, on or about May 24, 1988, Licensee entered a plea of guilty to a one-count information of knowingly and wilfully making and causing to be made false immaterial statements and representations in application for Medicare payments relating to the type of podiatry services allegedly provided to Medicare patients, in violation of 42 U.S.C. sec. 1395 nn(1)(ii), a misdemeanor; and

WHEREAS, on or about September 20, 1988, Licensee was excluded from participation in the Medicare Program (42 U.S.C. 1395 et seq.), and any state health care program as defined in section 1128(h)(42 U.S.C. 1320a-7(h)) of the Social Security Act for a period of five years due to the aforementioned conviction; and

WHEREAS, the aforementioned conviction, the exclusion from participation in the Medicare program and/or the conduct of Licensee which led to such actions may constitute violations of K.S.A. 1987 Supp. 65-2006, and amendments thereto, for which the Board may initiate proceedings to revoke, suspend or limit the license of Licensee to practice podiatry in the State of Kansas; and

WHEREAS, in lieu of the initiation of formal adjudicative proceedings, the parties hereto desire to enter into this stipulation.

NOW, THEREFORE, in consideration of the forbearance of formal adjudicative proceedings at this time and the other covenants and promises contained herein, the parties hereto agree as follows:

1. That Licensee should be publicly censured for his acts and conduct which led to the aforementioned conviction and exclusion from Medicare program.
2. That Licensee agrees to pay a fine in the amount of \$500 (five hundred dollars), said fine to be paid within six months of the date of this stipulation.
3. That in consideration of the forbearance of the commencement of formal adjudicative proceedings at this time, Licensee waives all procedural and due process requirements afforded to him by the United States and Kansas

Constitutions and the Kansas Administrative Procedure Act. In consideration of such waiver by Licensee, the Board agrees that this stipulation shall be an adjudication and determination of any proceedings or action that could be taken or instituted by the Board for any acts or alleged acts by Licensee which resulted in the aforementioned criminal conviction and exclusion from the Medicare program.

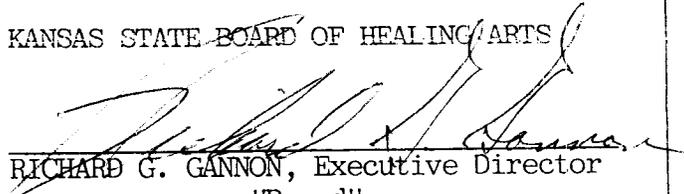
4. That it is understood and agreed that the provisions of this stipulation are to be strictly construed and adhered to by the parties.

5. That Licensee has entered into this stipulation freely and voluntarily and without any coercion or duress on the part of the Board and further acknowledges that he has been represented by counsel prior to the execution of this stipulation.

6. That this stipulation constitutes the entire agreement between the parties and there are no other agreements or other understandings not set forth herein. This stipulation may be modified or amended only by written instrument executed by the parties hereto.

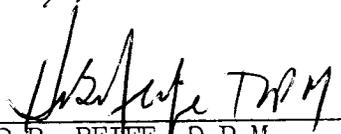
WHEREFORE, the parties hereto have executed this stipulation on the date indicated below their signature, it being specifically understood that the effective date of this agreement will be the date it has been signed by both parties hereto.

KANSAS STATE BOARD OF HEALING ARTS

  
RICHARD G. GANNON, Executive Director  
"Board"

DATE

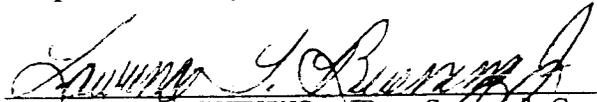
11-3-88

  
HOWARD B. REIFE, D.P.M.  
"Licensee"

DATE

10-31-88

Prepared and approved by:

  
LAWRENCE T. BUENING, JR., General Counsel  
Kansas State Board of Healing Arts  
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Approved by:

  
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