

BEFORE THE KANSAS STATE BOARD OF HEALING ARTS

In the Matter of  
DENNIS D. RICHARDS, M.D.  
Kansas License Number 12594

Case No.: 89-DC-0018

ORDER OF EMERGENCY SUSPENSION OF LICENSE

NOW, on this 23rd day of August, 1988, the above entitled matter comes before the Board pursuant to K.S.A. 65-2338 and K.S.A. 77-536.

After reviewing the investigative file and being duly advised in the premises, the Kansas State Board of Healing Arts (hereinafter referred to as "Board") by and through its Executive Director, Richard G. Gannon, finds as follows:

I. FINDINGS OF FACT

1. That, DENNIS D. RICHARDS, M.D. (hereinafter referred to as "Licensee") is currently licensed to practice medicine and surgery in the State of Kansas and holds certificate number 12594.
2. That, on or about August 21, 1988, Licensee attempted to treat a patient presenting with the symptoms of a heart attack (Confidential)
3. That, on or about August 22, 1988, Licensee failed to present himself at the hospital to perform an x-ray procedure and assist in a surgery.
4. That, on or about August 22, 1988, Licensee abandoned at least one hospitalized patient.
5. That, on August 22, 1988, Licensee did not present himself at his office to see patients and his whereabouts on that day are not known.
6. That, on August 23, 1988, information was brought to the attention of the Disciplinary Counsel of the Board and the Executive Director of the Board pertaining to the aforementioned matters.
7. That, these matters were thoroughly investigated and reviewed by the Disciplinary Counsel and Richard G. Gannon, Executive Director of the Board of Healing Arts, acting for the Board.

8. That, the Board found there was probable cause to believe that Licensee had violated the Kansas Healing Arts Act in the following respects:

(a) That, the Licensee may have committed an act of unprofessional or dishonorable conduct or was professionally incompetent, contrary to K.S.A. 1987 Supp. 65-2836(b).

(b) (Confidential)  
(Confidential)

(c) That, the Licensee may be unable to practice medicine and surgery with reasonable skill and safety to patients (Confidential)

(Confidential)

(d) That, the Licensee may be professionally incompetent in that he may have been involved in a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice medicine, contrary to K.S.A. 1987 Supp. 65-2837(a)(3).

(e) That, the Licensee may have exhibited unprofessional conduct in that he exhibited conduct which was likely to harm the public, contrary to K.S.A. 1987 Supp. 65-2837(b)(12).

9. That, the aforementioned findings constitute reasonable cause to believe that the actions and conduct of the licensee violated K.S.A. 1987 Supp. 65-2836 to 65-2844 inclusive and amendments thereto, and thereby may result in the revocation, suspension, or limitation of license of Licensee.

## II. CONCLUSIONS OF LAW AND POLICY REASONS

10. That, there is cause to believe that grounds exist under K.S.A. 1987 Supp. 65-2836 to 65-2844 inclusive and amendments

thereto for the revocation, suspension, or limitation of the license of Licensee.

11. That, prior actions taken by the Board and Licensee to attempt to resolve these matters without emergency adjudicative proceedings have been unsuccessful and Licensee still holds a current license to practice medicine and surgery in the State of Kansas.

12. That, due to the alleged violations of the Kansas Healing Arts Act by Licensee, there is an immediate and imminent danger to the public health, safety, or welfare which can only be prevented or avoided by the immediate emergency suspension of Licensee's license.

13. That, the necessary action which must be taken by the Board to prevent or avoid the immediate danger to the public health, safety, and welfare is to suspend the license of Licensee and thereby prohibit Licensee from practicing medicine and surgery in the State of Kansas while he remains in violation of the Kansas Healing Arts Act as above stated.

**NOW, THEREFORE, IT IS BY THE BOARD CONSIDERED AND ORDERED:**

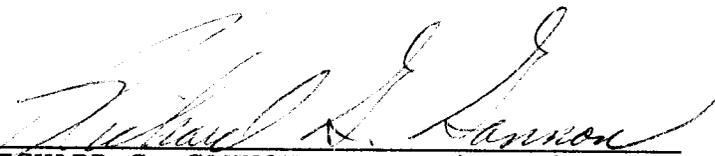
(1) That, the findings, conclusions of law and policy reasons hereinabove made and set forth be and the same are hereby made the order of the Board.

(2) That, the license of Licensee is hereby suspended.

(3) That, such suspension of Licensee's license shall remain in effect until further order of the Board.

(4) That, this Order shall take effect immediately.

**IT IS SO ORDERED.**

  
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RICHARD G. GANNON, Executive Director  
KANSAS STATE BOARD OF HEALING ARTS

8-23-88  
Date

Prepared by:  
JOSEPH M. FURJANIC, Disciplinary Counsel  
Kansas State Board of Healing Arts  
Landon State Office Building  
900 S.W. Jackson, Suite 553  
Topeka, Kansas 66612

I, Steven C. French, Medical Investigator for the Kansas State Board of Healing Arts hereby certify that I served the attached Order of Emergency Suspension of License by placing such in the United States mail (certified) to Dennis D. Richards, M.D. at the following addresses:

(P 918 898 495) 115 6th, Clay Center, Kansas 67432

(P 918 898 496) 1113 E. Crawford, Clay Center, KS 67432

(P 705 144 128) 617 Liberty, P.O. Box 516, Clay Center, KS 67432  
Clay County Hospital

This document was mailed on this 26th day of August, 1988.

Steven C. French, M.D.  
2:45 p.m.

BEFORE THE KANSAS BOARD OF HEALING ARTS

In the Matter of  
DENNIS D. RICHARDS, M.D.  
Kansas License #12594

ENFORCEMENT ORDER

NOW, on this 26th day of October, 1988, this matter comes before the Board as a result of a Stipulation having been entered into between the Board and the above-named Licensee.

The Kansas State Board of Healing Arts is represented by its Disciplinary Counsel, Joseph M. Furjanic. There are no other appearances.

After examining the files, hearing the statements of counsel and being otherwise duly advised in the premises, the Board finds as follows:

1. That, Licensee may have committed certain acts which may be in violation of the Healing Arts Act.

2. That, in lieu of proceeding with formal adjudicative proceedings to revoke, suspend, or limit the license of Licensee, the parties have entered into a Stipulation, a true copy of which is attached hereto.

IT IS THEREFORE by the Board considered, ordered and decreed:

A. That, Licensee hereby resigns and surrenders his license to practice medicine and surgery in the State of Kansas, said license being 12594 and Licensee further relinquishes all rights accorded him by said license.

B. That, Licensee enters into this Stipulation freely and with advice of counsel.

C. That, Licensee understands that the surrender and resignation of his license is permanent; provided, however, that Licensee may apply for licensure by complying with the applicable statutes, rules and regulations of the Board then in effect pertaining to granting of Licensee's license and reinstatement of revoked license.

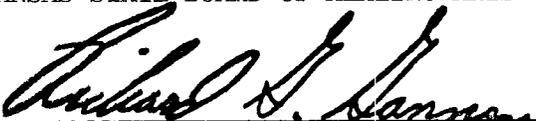
D. That, as long as Licensee remains in strict compliance with the terms and conditions of this Stipulation, no formal adjudicative proceedings will be initiated against Licensee based upon the aforementioned items. Any violation of the terms and conditions of this Stipulation by the Licensee shall be prima facie evidence that a violation of the Healing Arts Act has occurred for which the Board may suspend, revoke, or limit the license of the Licensee.

E. That, it is further agreed and understood that the provisions of this Stipulation are to be strictly construed and adhered to. This Stipulation constitutes the entire agreement between the parties and there are no other agreements and understandings not set forth herein. This Stipulation may be modified or amended by written instrument only, signed by the parties hereto.

F. That, this Stipulation shall remain in full force and effect until modified, amended or rescinded by the parties hereto.

G. That, Licensee has entered into the Stipulation freely and voluntarily and has not been subjected to any duress or coercion to enter into such.

KANSAS STATE BOARD OF HEALING ARTS

  
Richard G. Gannon, Executive Director

RECEIVED

STIPULATION

OCT 7 1988

KANSAS STATE BOARD OF  
HEALING ARTS

THIS AGREEMENT made and entered into this 17<sup>th</sup> day of October, 1988, by and between the KANSAS STATE BOARD OF HEALING ARTS, (hereinafter referred to as "Board") and DENNIS D. RICHARDS, M.D., (hereinafter referred to as "Licensee").

WITNESSETH:

WHEREAS, Licensee is currently licensed to practice medicine and surgery in the State of Kansas and holds license number 12594; and

WHEREAS, Licensee is 54 years old and has been engaged in the solo practice of medicine in Clay Center, Kansas, since 1969; and

WHEREAS, as of August 21, 1988, Licensee had over 4,000 active patient charts; and

WHEREAS, for the last several years, Licensee has been working 365 days a year without a break, seeing a minimum of 40 patients a day and a maximum of 75 patients a day; and

WHEREAS, over the past several years, Licensee has been unable to obtain assistance from other physicians to cover for his patients so that he could take a vacation or time off; and

WHEREAS, Licensee's efforts to recruit additional physicians into the State of Kansas to assist him have been unsuccessful for a variety of reasons; and  
(Confidential)

WHEREAS, on August 23, 1988, information was brought to the attention of Joseph M. Furjanic, Disciplinary Counsel of the Board and Richard G. Gannon, Executive Director of the Board, pertaining to Licensee; and

WHEREAS, these matters were thoroughly investigated and reviewed by the Disciplinary Counsel and the Executive Director

of the Board, acting for the Board; and

**WHEREAS**, on August 23, 1988, the Board found there was reasonable cause to believe that Licensee had violated K.S.A. 1987 Supp. 65-2836(b), 65-2836(e), 65-2836(k), 65-2837(a)(3), and 65-2837(b)(12); and  
(Confidential)

**WHEREAS**, the aforementioned findings by the Board and admissions by Licensee constitute reasonable cause to believe that the actions and conduct of Licensee violated K.S.A. 1987 Supp. 65-2836 to 65-2844 inclusive and amendments thereto and thereby may result in the revocation, suspension, or limitation of license of Licensee; and

**WHEREAS**, on August 23, 1988, the Board issued an Order of Emergency Suspension of Licensee's license to practice medicine and surgery in the State of Kansas; and

**WHEREAS**, in lieu of the prosecution of formal charges at a hearing, the parties mutually desire to enter into a formal Stipulation.

**NOW, THEREFORE**, in consideration of the forbearance of a formal hearing and other covenants and promises contained herein, the parties hereto agree as follows:

1. That, Licensee hereby resigns and surrenders his license to practice medicine and surgery in the State of Kansas, said license being 12594 and Licensee further relinquishes all rights accorded him by said license.

2. That, Licensee enters into this Stipulation freely and with advice of counsel.

3. That, Licensee understands that the surrender and resignation of his license is permanent; provided, however, that Licensee may apply for licensure by complying with the applicable statutes, rules, and

regulations of the Board then in effect pertaining to granting of Licensee's license and reinstatement of revoked license.

4. That, as long as Licensee remains in strict compliance with the terms and conditions of this Stipulation, no formal adjudicative proceedings will be initiated against Licensee based upon the aforementioned items.

5. Any violation of the terms and conditions of this Stipulation by the Licensee shall be prima facie evidence that a violation of the Healing Arts Act has occurred for which the Board may initiate formal adjudicative proceedings.

6. That, it is further agreed and understood that the provisions of this Stipulation are to be strictly construed and adhered to.

7. That, this Stipulation constitutes the entire agreement between the parties and there are no other agreements and understandings not set forth herein.

8. That, this Stipulation may be modified or amended by written instrument signed by the parties hereto.

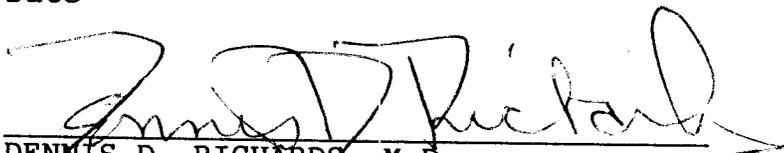
9. That, this Stipulation shall remain in full force and effect until modified, amended, or rescinded by the parties hereto.

**IN WITNESS WHEREOF**, the parties hereto have executed this Stipulation on the date indicated below their signature, it being strictly understood that the effective date of this Stipulation will be the date it has been signed by both parties hereto.

KANSAS STATE BOARD OF HEALING ARTS

  
RICHARD G. GANNON, Executive Director

10-7-88  
Date

  
DENNIS D. RICHARDS, M.D.

10/6/88  
Date

Prepared by:  
JOSEPH M. FURJANIC, Disciplinary Counsel  
Kansas State Board of Healing Arts  
Landon State Office Building  
900 S.W. Jackson, Suite 553  
Topeka, Kansas 66612  
(913) 296-7413