

**FILED**

CAB

JAN 21 2010

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

**KS State Board of Healing Arts**

<b>In the Matter of</b>	)	
	)	
<b>Richard Soney Rigmaiden III, MD</b>	)	
<b>Kansas License No. 04-32397</b>	)	<b>Docket No. 10-HA00082</b>
_____	)	

**FINAL ORDER AND JOURNAL ENTRY OF SATISFACTION  
OF REQUIREMENTS OF FINAL ORDER**

NOW ON THIS 20<sup>th</sup> day of January, 2009, the above-entitled matter comes on before Kathleen Selzler Lippert, Interim Executive Director of the Kansas State Board of Healing Arts ("Board"). After reviewing the file and being duly advised in the premises, the Interim Executive Director makes the following determinations.

1. On October 15, 2009, the Executive Director issued a Summary Order regarding the license of Richard Soney Rigmaiden III, M.D. ("Licensee") to practice medicine and surgery in the state of Kansas. The Summary Order contained a provision assessing a \$500 civil fine against Licensee for failure to have met the continuing education requirement at the time of renewal, due and payable within thirty (30) days of the effective date of the Summary Order.

2. On October 2, 2009, the Executive Director issued a Summary Order regarding the license of Richard Soney Rigmaiden III M.D. ("Licensee") to practice medicine and surgery in the state of Kansas. The Summary Order contained a provision requiring Licensee to provide proof of 50 hours of continuing education within ninety (15) days of the effective date of the Summary Order.

3. The Summary Order contained a notice that a written request for hearing could be filed within 15 days following service, but if no hearing is requested, the Summary Order would be come effective as a final order of the Board upon expiration of the time for requesting a

hearing.

4. No hearing has been requested by any party; therefore the Summary Order became effective as a Final Order on January 4, 2010.

5. On January 11, 2009, Licensee remitted \$500.00 to the Board for satisfaction of the \$500 civil fine.

6. On January 5, 2009, Licensee remitted proof of 50 hours of continuing education to the Board for satisfaction of continuing education.

7. Licensee has satisfied all requirements of the Final Order and has no further obligation for compliance.

**IT IS THEREFORE ORDERED** that Licensee is hereby discharged from the requirements of the Final Order.

**IT IS SO ORDERED.**

#### **NOTICE OF RIGHTS**

**PLEASE TAKE NOTICE** that this is a Final Order. Pursuant to K.S.A. 77-601 *et. seq.* a party to whom a Final Order is issued may petition for judicial review of this Final Order. The petition for judicial review must be filed within thirty (30) days of service of this Final Order. In the event a petition for judicial review is filed pursuant to K.S.A 77-613(e), the Agency Officer to be served on behalf of the Kansas State Board of Healing Arts is Kathleen Selzler Lippert, Interim Executive Director, Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, Kansas 66603.

Dated this 20<sup>th</sup> day of January 2010.

**KANSAS BOARD OF HEALING ARTS**

A handwritten signature in cursive script, reading "Kathleen Selzler Lippart", written over a horizontal line.

Kathleen Selzler Lippart  
Interim Executive Director

1-20-2010  
Date

**CERTIFICATE OF SERVICE**

I, hereby certify that a true and correct copy of the foregoing **Final Order and Journal Entry of Satisfaction** was served on the 21<sup>st</sup> day of January, 2010 by United States mail, first-class postage pre-paid and addressed to:

Richard Soney Rigmaiden III MD  
2214 Canterbury Drive  
Ste. 302  
Hays, KS 67601

and a copy was hand-delivered to:

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

Katy Lenahan  
Licensing Administrator  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3065

and the original was hand-delivered for filing with the office of the Interim Executive Director:

Kathleen Selzler Lippert  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3068



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Cathy Brown  
Executive Assistant

7/16/14  
11:11 AM  
KS State Board of Healing Arts

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

In the Matter of )  
 )  
Richard Soney Rigmaiden II, MD )  
License No. 04-32397 )  
\_\_\_\_\_ )

Docket Number: 10-HA00082

**SUMMARY ORDER**

**NOW ON THIS** 15<sup>th</sup> day of December, 2009, this matter comes before Kathleen Selzler Lippert, Interim Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537.

After reviewing the agency record and being duly advised in the premises, the following findings of fact, conclusions of law and order are made for and on behalf of the Board:

1. Richard Soney Rigmaiden II, MD ("Licensee") was originally issued license number 04-32397 to practice medicine and surgery in the State of Kansas on April 21, 2007.
2. On or about June 30, 2009, Licensee submitted an application for renewal of their license.
3. As part of the renewal process, Licensee certified that the rules regarding proof of continuing education had been read, that 50 hours of continuing education hours had been achieved, and that documentation of those hours would be maintained for a three-year period and produced to the Board upon request.
4. As part of the renewal process, Licensee further certified that the notice regarding the Board's procedures for auditing continuing education compliance had been read.
5. K.A.R. 100-15-5 requires each Licensee desiring to renew a Medicine and Surgery license to submit to the Board documented evidence of completion of a minimum of 50

contact hours of continuing education with a minimum 20 hours category I and maximum 30 hours category II since January 1, 2008, or 100 contact hours of continuing education 40 hours category I and maximum 60 hours category II since January 1, 2008, or 150 contact hours of continuing education 60 hours category I and maximum 90 hours category II since January 1, 2006, before or with the request for renewal.

6. Licensee was randomly selected to provide verification of compliance with the continuing education requirements and professional liability insurance on August 15, 2009, a letter was mailed to Licensee requesting that Licensee provide no later than September 20, 2009, the records relied upon when Licensee certified achievement of the required continuing education hours.

7. No response was received from Licensee.

8. A second letter requesting proof of continuing education by October 9, 2009 was sent to licensee on September 23, 2009 by certified mail through the United States Postal Service.

9. On September 25, 2009 the certified letters as signed for by a representative for the licensee.

10. No response was received from Licensee.

11. By certifying that the licensee had met the requirement for renewal, Licensee violated K.S.A. 65-2836 (k), "violated any lawful rule and regulation promulgated by the Board or violated any lawful order or directive of the Board previously entered by the Board."

Specifically Licensee violated K.A.R. 100-15-5.

12. In addition to any other penalty prescribed under the healing arts act, K.S.A. 65-2863a authorizes the Board to assess an administrative fine in an amount not exceeding \$5,000 for the first violation of the healing arts act.

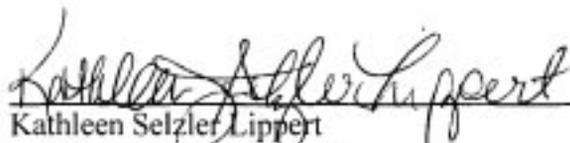
**IT IS, THEREFORE, ORDERED** that Licensee be assessed a civil fine in the amount of \$500, payable within thirty days of the effective date of this order, for failure to have met the continuing education requirement at the time of renewal.

**IT IS FURTHER ORDERED** that you shall submit proof that you have met your continuing education requirement for the previous year to the Board with fifteen days following service of this summary order. Your license may be suspended if the records are not received by that date.

**PLEASE TAKE NOTICE** that this is a summary order. A party to whom a summary order is issued may file a written request for a hearing within 15 days following service of the summary order. If a hearing is not requested, the summary order shall become effective as a final order of the Board upon expiration of the time for requesting a hearing. A request for a hearing must be addressed to Kathleen Selzler Lippert, Interim Executive Director, 235 South Topeka Boulevard, Topeka, Kansas 66603.

**DATED** this 15<sup>th</sup> day of December, 2009.

**KANSAS STATE BOARD OF HEALING ARTS**

  
Kathleen Selzler Lippert  
Interim Executive Director

**CERTIFICATE OF SERVICE**

I do hereby certify that on the 15<sup>th</sup> day of December, 2009, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

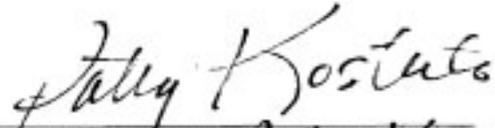
Richard Soney Rigmaiden II, MD  
2214 Canterbury Drive  
Ste 302  
Hays, KS 67601

and a copy hand delivered to the office of:

Kelli Stevens  
Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 6603-3068

Katy Lenahan  
Licensing Administrator  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3068

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

  
~~Cathy Brown~~ *Patty Kostreles*  
Executive Assistant