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MAY 13 2010

BEFORE THE KANSAS STATE BOARD OF HEALING ARTS

KS State Board of Healing Arts

In the Matter of	}	
Jay Alan Riseman, M.D.	}	
	}	
Kansas License No. 04-34116	}	Docket No. 10-HA-00086
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FINAL ORDER

NOW this April 16, 2010 the above captioned matter comes before the Kansas State Board of Healing Arts (Board) on the Licensee's Motion to modify the Consent Order and the Licensee's request for the appointment of a presiding officer and a request for a hearing. The petitioner appears by and through Stacy Bond Associate Litigation Counsel. The Licensee, Alan Riseman, appears in person and through counsel, Carol Ruth Bonebrake. There are no other appearances. The Board, being familiar with the file, after hearing the statements of counsel, after hearing the sworn testimony of the respondent and being duly apprised of the premises finds and concludes as follow:

1. The disciplinary panel consisting of Dr. Counselman, Dr. Leinwetter, and Dr. Templeton recuse themselves.
2. The Licensee withdraws the Motion for the Appointment of a Presiding Officer. The Licensee withdraws the Request for a Hearing. The Board allows the motions to be withdrawn.
3. The Licensee and the Board entered into a Consent Order at the December 4, 2009 Board Meeting granting the Licensee a limited license to practice medicine. The Consent Agreement prohibited the Licensee from practicing surgery. The Consent Order was finalized and mailed on December 8, 2009.

4. The Licensee requests the Consent Order dated December 8, 2009 be modified because the Order has resulted in Dr. Riseman being denied payment from third party payers because of the restriction from performing surgery on his license.

5. The Board, after a motion to deny the request to modify the Consent Agreement and a second voted five votes to four to DENY the licensee's request to modify the Consent Order entered on December 8, 2009.

WHEREUPON, the request by the licensee to modify the Consent Order of Jay Alan Riseman, M.D., dated December 8, 2009 is DENIED.

**PLEASE TAKE NOTICE** that this is a final order. A final order is effective upon service. 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 Kathleen Selzler Lippert, the Board's Interim Executive Director, at 235 SW Topeka Blvd., Topeka, KS 66603.

IT IS SO ORDERED.

DATED: ~~April~~ <sup>May</sup> 13<sup>th</sup>, 2010.

  
Kathleen Selzler-Lippert  
Acting Executive Director  
Kansas State Board of Healing Arts

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing FINAL ORDER was served by depositing the same in the United States mail, first-class postage prepaid, this 13<sup>th</sup> day of ~~April~~ <sup>May</sup>, 2010, addressed to:

Carol Ruth Bonebrake  
Law Office of Carol Ruth Bonebrake  
107 SW 6<sup>th</sup>, Suite 210  
Topeka, KS 66603

Jay Alan Riseman, M.D.  
3004 Kensington Dr.  
Springfield, IL 62702

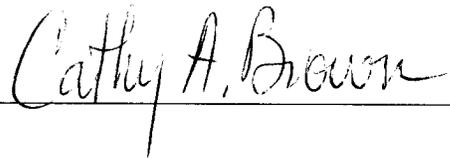
Stacy Bond  
Litigation Counsel  
Kansas State Board of Healing Arts  
235 SW Topeka Blvd.  
Topeka, KS 66603

With the original going to:

Kathleen Selzler-Lippert  
Interim Executive Director  
235 SW Topeka Blvd.  
Topeka, KS 66603

And a copy to:

Melissa Massey  
Compliance Coordinator  
Kansas State Board of Healing Arts  
235 SW Topeka Blvd.  
Topeka, KS 66603

  
Cathy A. Brown