

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

<b>In the Matter of</b> <b>CRAIG ROGERS, D.C.</b>  <b>Kansas License No. 01-04691</b> <hr style="width: 100%;"/>	) ) ) ) ) )	<b>Docket No. 17-HA00061</b>
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**ORDER OF EMERGENCY SUSPENSION OF LICENSE**

**NOW** on this 9<sup>th</sup> day of June 2017, comes on for conference hearing before the Kansas State Board of Healing Arts (“Board”) the Application for change of status and the Petition for discipline filed against the chiropractic license of Craig Rogers, D.C. (“Licensee”). Jane Weiler, Associate Litigation Counsel, appears on behalf of the Petitioner Board. Licensee appears in person and *pro se*.

Pursuant to the authority granted to the Board, K.S.A. 65-2801 *et seq.*, and in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.*, the Board hereby enters this Final Order in the above-captioned matter. After reviewing the agency record, hearing the statements and arguments of the parties, receiving exhibits into evidence, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

**Procedural Background**

1. On or about December 9, 2000, Licensee was issued Kansas License 01-04691 to practice chiropractic in the State of Kansas. Licensee submitted to the Board an application for

change of designation to inactive status on or about August 15, 2016. Licensee's current license designation is inactive.

2. Licensee is the sole owner, proprietor, and chiropractor of the Norton Chiropractic Center located at 204 E. Washington Street, Norton, Kansas 67654.

3. On or about October 17, 2005, Licensee was found to have been engaged in the practice of the healing arts when he was not entitled to practice the healing arts in the State of Kansas. (KSBHA Docket No. 06-HA00018).

4. In August of 2016, Licensee changed his license to Inactive status and renewed his license as Inactive in January 2017.

5. On March 27, 2017, Licensee submitted an Application for change of status from inactive to active license status.

6. On May 10, 2017, Associate Litigation Counsel filed a Response in Opposition to Application for Reinstatement of License to Practice Chiropractic.

7. On May 25, 2017, Associate Litigation Counsel filed a Petition for Discipline alleging Licensee was practicing chiropractic without an active license after he changed his license status to Inactive in August of 2016.

8. A Conference Hearing was scheduled for June 9, 2017, and a Notice of Conference Hearing was served on Licensee on May 25, 2017, by United States Mail, first-class postage prepaid to the mailing address Licensee provided to the Board.

9. During the Conference Hearing, Licensee admitted to practicing chiropractic in the State of Kansas while his license was inactive since he changed his license status to Inactive in August 2016.

10. Pursuant to K.S.A. 65-2838(c), the Board may temporarily suspend the license of any licensee in accordance with the emergency adjudicative proceedings under the Kansas administrative procedure act described in K.S.A. 77-536 if the Board determines that there is cause to believe that grounds exist under K.S.A. 65-2836 and amendments thereto for disciplinary action against the licensee and that licensee's continuation in practice would constitute an imminent danger to the public.

11. Licensee's admission of practicing chiropractic constitutes a violation of K.S.A. 65-2836(g), in that Licensee "has unlawfully invaded the field of practice of any branch of the healing arts in which the licensee is not licensed to practice."

12. Further, licensee's admission of practicing chiropractic constitutes a violation of K.S.A. 65-2836(f) in that he licensee "has willfully or repeatedly violated this act, the pharmacy act of the state of Kansas or the uniform controlled substances act, or any rules and regulations adopted pursuant thereto, or any rules and regulations of the secretary of health and environment which are relevant to the practice of the healing arts."

### **Findings and Conclusions**

13. In contemplating the appropriate measure of discipline for Licensee's violations of the Healing Arts Act, the Board considers its public protection purpose to be of paramount importance. The public is at risk due to Licensee's practice on an inactive license.

14. The Board concludes that Licensee's violations of the Healing Arts Act warrants emergency suspension of his license to practice chiropractic.

15. Licensee's license should be emergently suspended effective June 9, 2017 to prohibit Licensee from practicing chiropractic in the State of Kansas.

16. Licensee was advised in person by the Board on June 9<sup>th</sup>, 2017, that the Board was issuing an immediate order of emergency suspension.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** that Licensee's license to practice chiropractic is **EMERGENTLY SUSPENDED** effective June 9, 2017, on a temporary basis pending an evidentiary hearing to determine if there is adequate cause for the suspension to remain in effect during the proceedings on the underlying Petition.

**IT IS FURTHER ORDERED** that the Board shall maintain jurisdiction over this matter to issue further order(s) deemed necessary and appropriate in the circumstances.

**IT IS SO ORDERED THIS 9 DAY OF JUNE, 2017, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**

**KANSAS STATE BOARD OF HEALING ARTS**

  
Kathleen Selzler Lipper, Executive Director  
Kansas State Board of Healing Arts

**NOTICE OF RIGHTS**

This is an emergency order. An emergency order is effective when rendered. A party to an agency proceeding may seek judicial review of an emergency order by filing a petition in the

District Court as authorized by K.S.A. 77-601, *et seq.* A petition for judicial review is not timely unless filed within 30 days following service of the order. A copy of any petition for judicial review must be served upon Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, Kansas 66612.

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true copy of the foregoing **Order of Emergency Suspension of License** was served this 13<sup>th</sup> day of June 2017, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Craig Rogers, DC  
[REDACTED]  
Norton, KS 67654

Brian C. Wright  
Wright Law Office  
4312 10<sup>th</sup> St. Pl.  
Great Bend, KS 67530

and a copy was hand-delivered to:

Jane Weiler, Associate Litigation Counsel  
Kansas Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

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

  
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