

CAB

FILED

JUN 23 2010

KS State Board of Healing Arts

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

In the Matter of)	
)	
CAROL RYSER, M.D.)	KSBHA Docket No. 09-HA00183
Kansas License No. 04-13367)	OA# No. 09-HA0004
_____)	

**AGREED ORDER OF STAY OF PROCEEDINGS
AND CONTINUANCE OF FORMAL HEARING AND DISCOVERY**

NOW, on this the 22nd day of June, 2010, comes before the Board, the agreement of the parties to stay these proceedings and continue the formal hearing and discovery until such time that an agency level disposition is rendered in the Missouri Board Registration for the Healing Arts' ("Missouri Board") case, *State Board of Registration for the Healing Arts v. Carol A. Ryser, M.D.*, Case No. 09-1693 HA, presently pending against Licensee's Missouri medical license.

Upon review of the agency record, the Board makes the following findings and orders:

1. The Missouri Board has filed a disciplinary action against Licensee's Missouri medical license.
2. It is anticipated the pending action against Licensee's Missouri medical license will be scheduled for an evidentiary hearing in 2011, before the Missouri Administrative Hearing Commission.
3. At the time Petitioner initiated this action, the Missouri Board's action against Licensee's Missouri license had not been filed.
4. This matter is presently set for a formal hearing before the Office of Administrative Hearings and is scheduled to commence on January 31, 2011, for two weeks.

5. At this time, Petitioner and Licensee propose to stay the proceedings and continue the formal hearing in this matter until after a disposition is rendered against Licensee at the agency level in the Missouri Board's action in Case No. 09-1693 HA.

6. The parties have agreed that, in the interest of efficiency and economy of resources, this proceeding should be stayed and the formal hearing continued pending an agency level disposition of the Missouri Board's action in Case No. 09-1693 HA.

7. The parties agree that a stay of this matter shall have no bearing on any other Board investigation of Licensee or litigation, including *Ryser v. State*, No. 09-C-1605 (Dist. Ct. Nov. 30, 2009), *appeal docketed*, No. 9-103579-A (Kan. Sup. Ct. Dec. 22, 2009) and *Ryser v. State*, No. 09-C-1956 (Kan. Dist. Ct. filed Dec. 18, 2009).

8. Considering the circumstances and interests involved in this matter, it is appropriate for the Board to stay this proceeding and continue the formal hearing and discovery until after an agency level disposition of the Missouri Board's action in Case No. 09-1693 HA, without regard to the completion of any appeal of the same.

9. This Order does not prejudice either party's right to seek intervention in forums other than to OAH at any time should either one of the parties deem such action appropriate.

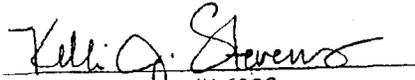
IT IS THEREFORE ORDERED that this proceeding be stayed and the formal hearing in this matter shall be continued. The stay shall be lifted after a disposition is rendered at the agency level in the Missouri Board's action in Case No. 09-1693 HA, without regard to the completion of any appeal of the same. At that time, this matter will be reassigned to the Office of Administrative Hearings so the parties may continue with the formal hearing proceedings and discovery or otherwise conclude the matter.

IT IS SO ORDERED this 22 day of June, 2010.

FOR THE KANSAS BOARD OF HEALING ARTS:

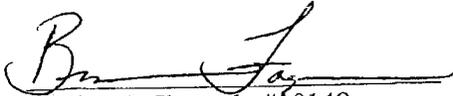

Kathleen Selzler Lippert
Executive Director

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I served a true and correct copy of the above and foregoing **AGREED ORDER OF STAY OF PROCEEDINGS AND CONTINUANCE OF FORMAL HEARING** on the 23rd day of June, 2010 by United States mail, first-class, postage pre-paid and addressed to:

William J. Skepnek
Brennan P. Fagan
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900 Massachusetts Street, Ste. 601
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Merrick, New York 11566

Stephen Good, Presiding Officer
Office of Administrative Hearings
1020 S. Kansas Avenue
Topeka, Kansas 66612

and a copy was hand-delivered to:

Kelli J. Stevens
Lori D. Dougherty
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
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and the original was filed with the office of:

Katleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
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Signature