

**EFFECTIVE AS A
FINAL ORDER**

DATE: 7/11/13

FILED CAB
JUL 01 2013
KS State Board of Healing Arts

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

In the Matter of)
CAROL A. RYSER M.D.)
)
Kansas License No. 04-13367)
_____)

Docket No. 13-HA00085

PROPOSED DEFAULT ORDER REVOKING LICENSURE

NOW on this 14th day of June, 2013, comes on for hearing before the Kansas State Board of Healing Arts ("Board"), the Petition for discipline filed against the medical license of Carol A. Ryser, M.D. ("Licensee") by the Board. Petitioner appears by and through Joshana L. Offenbach, Disciplinary Counsel. Licensee fails to appear.

Pursuant to the authority granted to the Board by 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 Proposed Default Order Revoking Licensure in the above-captioned matter. Having the agency record before it, and considering the evidence and the statements and arguments of Petitioner, the Board makes the following findings, conclusions and order:

1. Licensee's last known mailing address as provided to the Board is: 5308 E. 115th Street, Kansas City, Missouri, 64137.
2. Licensee is or has been entitled to engage in the practice of medicine and surgery in the State of Kansas, having been issued License No. 04-13367 on approximately June 12, 1967.
3. On or about June 26, 2012, a criminal Indictment was filed against Licensee in the United States District Court, Western District of Missouri, Kansas City. The Indictment alleged

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that Licensee executed a scheme to defraud health care benefit programs and that Licensee filed false tax returns.

4. On or about March 22, 2013, Licensee pled guilty to two felony counts. The Court accepted her plea and adjudged her guilty.

5. Licensee entered into a Plea Agreement in the United States District Court, Western District of Missouri, Kansas City, to resolve the four Counts charged in the Indictment.

6. In the Plea Agreement, Licensee admitted to falsifying claims for healthcare treatment made to private and government insurance providers and to filing false tax returns.

7. As part of the Plea Agreement, Licensee agreed to surrender her medical licenses in Missouri and Kansas, and further, she would never seek licensure to practice medicine in the United States.

8. In the Plea Agreement, Licensee agreed she would never be involved as an owner or employee of, or consultant to, or in any other capacity with any medical clinic, hospital, or other health care provider. Licensee also agreed that all necessary steps would be taken to terminate operation of the medical clinic operated by Health Centers of America-Kansas City, LLC.

9. On April 10, 2013, Licensee tendered to the Board her "wallet card", which serves as evidence of licensure.

10. On May 24, 2013, a Notice of Conference Hearing was served on Licensee at her last known mailing address. The Notice of Conference Hearing gave notice of a hearing to be held at the Board offices on June 14, 2013, at 11:30 a.m.

11. Subsequently, on June 10, 2013, Licensee submitted a letter to the Board's Disciplinary Counsel stating that she would not be attending the June 14, 2013, Board meeting

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due to the fact that she is no longer a practicing physician in Kansas and that she had surrendered her license to practice medicine and surgery.

12. Licensee failed to appear at the conference hearing and as such, is in default pursuant to K.S.A. 77-520.

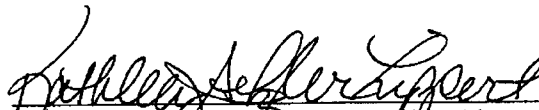
13. K.S.A. 65-2836(c) requires that a Licensee's license shall be revoked following Licensee's conviction of a felony, whether or not related to the practice of the healing arts, unless a 2/3 majority of the Board members present and voting determine by clear and convincing evidence that the Licensee will not pose a threat to the public and that the Licensee has been sufficiently rehabilitated to warrant the public's trust.

14. The Board concludes that the finding of Licensee's two felony convictions violate K.S.A. 65-2836(c).

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee is hereby held in DEFAULT pursuant to K.S.A. 77-520.

IT IS FURTHER ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee's license to practice medicine and surgery in the State of Kansas is hereby **REVOKED**.

IT IS SO ORDERED THIS 1st DAY OF ~~JUNE~~ July 2013, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Kathleen Selzer Lippert, Executive Director
Kansas State Board of Healing Arts

NOTICE OF RIGHTS

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, Executive Director, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing **FINAL ORDER REVOKING LICENSURE** was served this 11th day of July, 2013, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Carol A. Ryser, M.D.
5308 E. 115th St.
Kansas City, MO 64137

and a copy was hand-delivered to:

Joshana L. Offenbach, Associate Litigation Counsel
Kansas Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Katy Lenahan, Licensing Administrator
Kansas Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Kelli Stevens, General Counsel
Kansas State 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

