

FILED *CMB*

SEP 02 2010

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

KS State Board of Healing Arts

**In the Matter of** )  
**Gauravi Sabharwal, MD** )  
 )  
**Application for Licensure** )  
\_\_\_\_\_ )

Docket No. 11-HA00003

**FINAL ORDER**  
**(Pursuant to K.S.A. 77-501 et seq. )**

Pursuant to the authority granted to the Kansas State Board of Healing Arts (“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 Final Order in the above-captioned matter. Members of the Board serving on the Disciplinary Panel for this matter were recused from participation.

**I. Findings of Fact**

The Board has been shown the following facts:

1. Gauravi Sabharwal (“Applicant”) 2840 Electric Rd SW, Ste 205-A, Roanoke, VA 24018, submitted an Application for Licensure to Practice Medicine and Surgery (“Application”) in the State of Kansas on February 1, 2010.
2. Applicant is a graduate of Sardar Patel Medical College in India.
3. Applicant passed Step 1 of the United States Medical Licensing Examination (“USMLE”) on June 14, 1995.
4. Applicant passed Step 2 of the USMLE on March 5, 1996.
5. Applicant passed Step 3 of the USMLE on June 29, 2005.
6. Applicant took over ten (10) years to successfully pass all three USMLE examinations.

7. Pursuant to K.A.R. 100-7-1 an Applicant for licensure must complete all remaining portions of the USMLE within ten (10) years after passing step 1 of the USMLE.
8. Applicant is licensed and in good standing in the State of Michigan.

## **II. Applicable Law**

- a. K.S.A. 65-2833
- b. K.A.R. 100-7-1(b)

## **III. Public Policy Statement**

The public policy of regulating the practice of healing arts in the State of Kansas is set forth in K.S.A. 65-2801:

Recognizing that the practice of the healing arts is a privilege granted by legislative authority and is not a natural right of individuals, it is deemed necessary as a matter of policy in the interests of public health, safety and welfare, to provide laws and provisions covering the granting of that privilege and its subsequent use, control and regulation to the end that the public shall be properly protected against unprofessional, improper, unauthorized and unqualified practice of the healing arts and from unprofessional conduct by persons licensed to practice under this act.

## **IV. Conclusions of Law**

Based upon the Findings of Fact enumerated in Paragraphs #1 through #8, the Applicable Law and the Public Policy Statement set forth above:

### **THE BOARD HEREBY CONCLUDES AS FOLLOWS:**

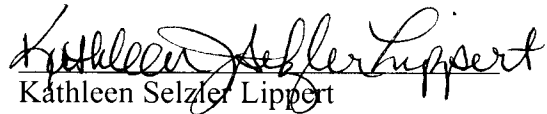
9. Applicant successfully completed all portions of the USMLE but did not do so within the 10 year timeframe as required by K.A.R. 100-7-1(b).
10. Applicant sought waiver of the requirements of K.A.R. 100-7-1(b) and, in the alternative, licensure by endorsement.

11. If waiver of the requirements of K.A.R. 100-7-1(b) is granted, Applicant is eligible for licensure by endorsement by virtue of her licensure to practice in the State of Michigan pursuant to K.S.A. 65-2833.
12. Applicant is currently licensed in good standing in the State of Michigan.
13. Applicant has not had her license limited, suspended, or revoked or been censured or had other disciplinary action taken against her license.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS:**

14. Applicant is hereby **GRANTED** a waiver of the USMLE ten (10) year completion requirement as set forth in K.A.R. 100-7-1(b).
15. Applicant is hereby **GRANTED** licensure by endorsement pursuant to K.S.A. 65-2833.
16. The Board shall maintain jurisdiction over this matter to issue any Order(s) deemed necessary and appropriate.

**IT IS SO ORDERED THIS 2 DAY OF Sept, 2010, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**

  
Kathleen Selzier 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 Final Order – Application of Gauravi Sabharwal, MD  
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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 Executive Director, at 235 SW Topeka Blvd., Topeka, KS 66603.

**CERTIFICATE OF SERVICE**

I, hereby certify that a true copy of the foregoing Final Order was served this 2<sup>nd</sup> day of September, 2010 by depositing the same in the United States Mail, first-class postage prepaid and addressed to:

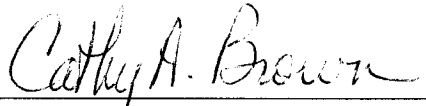
Dr. Gauravi Sabharwal  
2840 Electric Rd SW, Ste. 205-A  
Roanoke, VA 24018

And a copy was hand delivered to the office of:

Julia Mowers, Associate Litigation Counsel  
Kansas State Board of Healing Arts  
235 SW Topeka Blvd.  
Topeka, Kansas 66603

Katy Lenahan, Licensing Administrator  
Kansas State Board of Healing Arts  
235 SW Topeka Blvd.  
Topeka, Kansas 66603  
The original filed with:

Kathleen Selzler Lippert, Executive Director  
Kansas State Board of Healing Arts  
235 SW Topeka Blvd.  
Topeka, KS 66603

  
Cathy Brown, Executive Assistant