

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

In the Matter of)
)
DEAN SAMUELSON, M.D.)
Revoked Kansas License #4-16860)
_____)

Docket No. 04-HA-71

JOURNAL ENTRY

NOW on this Third Day of November, 2004, comes Lawrence T. Buening, Jr., Executive Director of the Kansas State Board of Healing Arts ("Board") and finds and states as follows:

1. On June 29, 2004, a copy of the Notice of Conference Hearing on the request for a refund of the license renewal fee, was mailed to Dean Samuelson, M.D. ("Respondent"), at **confidential** **confidential** Topeka, Kansas 66604. The notice was not returned in the mail as undeliverable.

2. Respondent did not attend the Conference Hearing conducted on August 14, 2004 at which time the Board found Respondent to be in default and issued a Proposed Default Order which was filed on August 23, 2004.

3. A copy of the Proposed Default Order was mailed to Respondent on August 23, 2004 at **confidential** Topeka, Kansas 66604. The Proposed Default Order was not returned in the mail to the Board office as undeliverable.

4. K.S.A. 77-520 provides that a party against whom a Proposed Default Order is issued may file a written motion within seven days after service of the order requesting that the order be vacated, and if a motion is not so filed, the Proposed Default Order shall become effective.

5. Respondent has not filed a motion requesting that the Proposed Default Order be

vacated and, therefore, by operation of law, the Proposed Default Order became effective September 8, 2004, and Respondent's request for refund of license renewal fee was denied as of that date.

DATED this 4th day of November, 2004.

KANSAS STATE BOARD OF HEALING ARTS



LAWRENCE T. BUENING, JR. #9128

Executive Director

Kansas State Board of Healing Arts

235 S. Topeka Blvd.

Topeka, KS 66603

(785) 296-3680

CERTIFICATE OF SERVICE

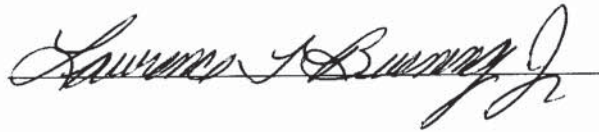
I hereby certify that a true and correct copy of the foregoing **JOURNAL ENTRY** was served on the 4th day of November, 2004, by depositing same in the United States mail, first-class postage prepaid and addressed to:

Dean Samuelson, M.D.
confidential
Topeka, KS 66604

and a copy was hand-delivered to the office of:

Stacy L. Cook
Litigation Counsel
Kansas Board of Healing Arts
235 SW Topeka Blvd.
Topeka, KS 66604

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



(sas)

FILED

AUG 23 2004

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In the Matter of)
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DEAN SAMUELSON, M.D.)
Kansas License No. 04-16860)
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**KANSAS STATE BOARD OF
HEALING ARTS**

Docket No. 04-HA-71

PROPOSED DEFAULT ORDER

NOW ON THIS Fourteenth Day of August 2004, comes before the Board a motion by Dean Samuelson, M.D. for refund of his fee for the 2004-2005 renewal period. Dr. Samuelson does not appear. Stacy L. Cook, Litigation Counsel, appears for the Board.

1. The Board finds that Dr. Samuelson is in default by his non-appearance.
2. Based upon the agency records of this and prior proceedings, Dr. Samuelson completed the process to renew his license on May 21, 2004. The Board commenced an administrative proceeding June 14, 2004, which resulted in the revocation of Dr. Samuelson's license. At the time he initiated the renewal process, Dr. Samuelson was aware and should have known that the Board anticipated an administrative proceeding, and that revocation of his license was a potential result.

3. No statutory authority exists to refund Dr. Samuelson's renewal fee as he requests.

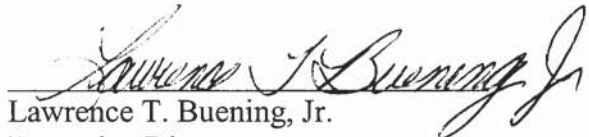
IT IS, THEREFORE, ORDERED that the request for a refund of the renewal fee paid by Dean Samuelson, M.D. is denied.

PLEASE TAKE NOTICE that this is proposed default order. A party against whom a proposed default order is issued may seek an order vacating the proposed order by filing a motion for such an order within seven days following service of the proposed order. Any such

motion must be filed with the Executive Director at 235 S. Topeka Blvd., Topeka, KS 66603.

Dated this 20th Day of August 2004.

Kansas State Board of Healing Arts


Lawrence T. Buening, Jr.
Executive Director

Certificate of Service

I certify that the foregoing Final Order was served this 23rd day of August 2004 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Dean Samuelson, M.D.
confidential
Topeka, KS 66604

and a copy was hand-delivered to:

Stacy L. Cook
Litigation Counsel
235 S. Topeka Blvd.
Topeka, Kansas 66603