

**FILED** *CAB*

APR 13 2009

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

**KS State Board of Healing Arts**

In the Matter of	)	
	)	
Brett A Schlifka, DO	)	Docket No. 09-HA00127
	)	
<u>Kansas license No. 05-28498</u>	)	

**JOURNAL ENTRY OF SATISFACTION  
OF REQUIREMENTS OF FINAL ORDER**

**NOW**, on this 13<sup>th</sup> day of April 2009, this matter comes before John (Jack) Confer, Executive Director, Kansas State Board of Healing Arts (“Board”), concerning Licensee’s satisfaction of all requirements contained in the Final Order which was filed on April 7, 2009.

Wherefore, the Board finds as follows:

1. On or about April 7, 2009, the Board issued a Final Order regarding the license of Brett A Schlifka, D.O. (“Licensee”) to practice as a doctor of osteopathy in the state of Kansas. The Final Order contained a provision for Licensee to pay a fine in the amount of \$500 on or before March 9<sup>th</sup>. The Final Order became effective March 2, 2009.

2. Licensee paid the \$500 fine on March 12, 2009

3. On or about April 7, 2009, the Board issued a Final Order regarding the license of Brett A Schlifka, D.O. (“Licensee”) to practice as a doctor of osteopathy in the state of Kansas. The Final Order contained a provision for the Licensee to submit proof of 50 hours of continuing education, due on or before March 2, 2009.

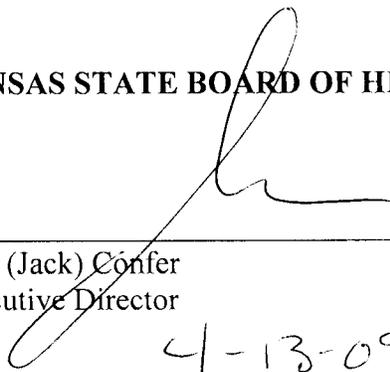
4. Licensee submitted 50 hours continuing education on February 26, 2009.

5. Licensee has satisfied all requirements of the Final Order and has no further obligation for compliance.

**ITS IS THEREFORE ORDERED** that Licensee is hereby discharged from the requirements of the Final Order filed on April 7, 2009.

**IT IS SO ORDERED**

**KANSAS STATE BOARD OF HEALING ARTS**



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John (Jack) Confer  
Executive Director

4-13-09

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Date

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing Journal Entry of Satisfaction was served on the 14<sup>th</sup> day of April, 2009 by United States mail, first class postage prepaid and addressed to:

Brett A Schlifka DO  
146 Deerpark Rd  
Dallas, PA 18612

and a copy hand delivered to the office of:

Kathleen Selzler Lippert  
Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 6603-3068

Katy Lenahan  
Licensing Administrator  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3068

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

John (Jack) Confer  
Executive Director  
Kansas State Board of Healing Arts  
235 S Topeka Blvd  
Topeka, KS 66603



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Cathy Brown  
Executive Assistant

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

**FILED** *CRP*  
APR 13 2009

KS State Board of Healing Arts

In the Matter of )  
 )  
Brett A Schlifka, DO ) Docket No. 09-HA00127  
 )  
Kansas license No. 05-28498 )

**FINAL ORDER**

NOW, on this 13<sup>th</sup> day of April 2009, this matter comes before John (Jack) Confer, Executive Director of the Kansas State Board of Healing Arts. After reviewing the file and being advised in the premises, the Executive Director makes the following determinations.

1. On February 9, 2009 the Executive Director issued a Summary Order regarding the license of Brett A Schlifka, D.O. ("Licensee") to practice as a doctor of osteopathy in the state of Kansas. The Summary Order contained a provision assessing a \$500 civil fine against Licensee, due payable on or before March 9, 2009

2. On February 9, 2009 the Executive Director issued a Summary Order regarding the license of Brett A Schlifka, D.O. ("Licensee") to practice as a doctor of osteopathy in the state of Kansas. The Summary Order contained a provision for the Licensee to submit proof of 50 hours of continuing education, due on or before March 2, 2009

3. The Summary Order contained a notice that a written request for hearing could be filed within 15 days following service, but if no hearing is requested, the Summary Order would be come effective as a Final Order of the Board upon expiration of the time for the requesting a hearing.

4. No hearing has been requested by any party; therefore the Summary Order became effective as a final order on March 2, 2009

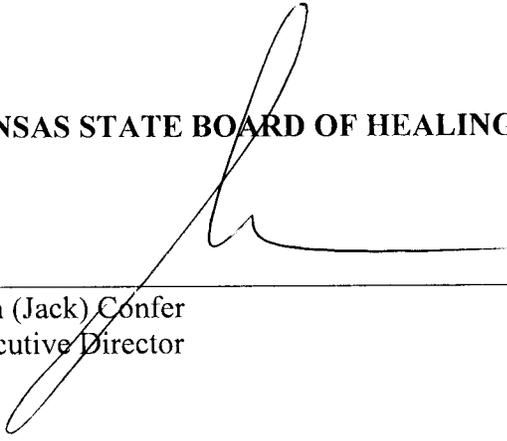
**IT IS SO ORDERED**

**NOTICE OF RIGHTS**

**PLEASE TAKE NOTICE** that this is a Final Order. Pursuant to K.S.A. 77-601 *et. seq.* a party to whom a Final Order is issued may petition for judicial review of this Final Order. The petition for judicial review must be filed within thirty (30) days of service of this Final Order. In the event a petition for judicial review is filed pursuant to K.S.A. 77-613(e), the Agency Officer to be served on behalf of the Kansas State Board of Healing Arts is Jack Confer, Executive Director, Kansas State Board of Healing Arts, 235 S Topeka Blvd., Topeka, Kansas 66603.

**DATED** this 13<sup>th</sup> day of April, 2009

**KANSAS STATE BOARD OF HEALING ARTS**



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John (Jack) Confer  
Executive Director

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing Final Order was served this 14<sup>th</sup> day of April, 2009 by United States mail, first class postage prepaid and addressed to:

Brett A Schlifka DO  
146 Deerpark Rd  
Dallas, PA 18612

and a copy hand delivered to the office of:

Kathleen Selzler Lippert  
Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 6603-3068

Katy Lenahan  
Licensing Administrator  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3068

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

John (Jack) Confer  
Executive Director  
Kansas State Board of Healing Arts  
235 S Topeka Blvd  
Topeka, KS 66603



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Cathy Brown  
Executive Assistant

**FILED**

CAB

FEB 09 2009

**BEFORE THE BOARD OF HEALING ARTS OF THE STATE OF KANSAS** **KS State Board of Healing Arts**

In the Matter of )  
 )  
Brett Schlifka, DO )  
License No. 05-28498 )  
\_\_\_\_\_ )

Docket Number: 09-HA00127

**SUMMARY ORDER**

NOW ON THIS 9<sup>th</sup> day of February, 2009, this matter comes before Jack Confer, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537.

After reviewing the agency record and being duly advised in the premises, the following findings of fact, conclusions of law and order are made for and on behalf of the Board:

1. Brett Schlifka, DO ("Licensee") was originally issued license number 05-28498 to practice osteopathic medicine and surgery in the State of Kansas on October 16, 1999, pursuant to K.A.R. 100-15-1.
2. K.A.R. 100-15-5 requires each Licensee desiring to renew a Osteopathic Doctor license to submit to the Board documented evidence of completion of a minimum of 50 contact hours of continuing education since April 1, 2007, or 100 contact hours of continuing education since April 1, 2006, or 150 contact hours of continuing education since April 1, 2005, before or with the request for renewal.
3. On or about October 28, 2008, Licensee submitted an application for renewal of their license.
4. As part of the renewal process, Licensee certified that the rules regarding proof of continuing education had been read, that 50 hours of continuing education hours had been

achieved, and that documentation of those hours would be maintained for a three-year period and produced to the Board upon request.

5. As part of the renewal process, Licensee further certified that the notice regarding the Board's procedures for auditing continuing education compliance had been read.

6. Licensee was randomly selected to provide verification of compliance with the continuing education requirements and on November 14, 2008, a letter was mailed to Licensee requesting that Licensee provide no later than December 31, 2008, the records relied upon when Licensee certified achievement of the required continuing education hours.

12. Licensee failed to provide documented evidence of continuing education by the due date.

13. By failing to provide documented evidence of his continuing education, Licensee has violated K.S.A. 65-2836(r), failing to respond to the Board's legal request for information.

14. In addition to any other penalty prescribed under the healing arts act, K.S.A. 65-2863a authorizes the Board to assess an administrative fine in an amount not exceeding \$5,000 for the first violation of the healing arts act.

**IT IS, THEREFORE, ORDERED** that the license of Licensee be assessed a civil fine in the amount of \$500, payable within thirty days of the effective date of this order, for failure to have met the continuing education requirement at the time of renewal.

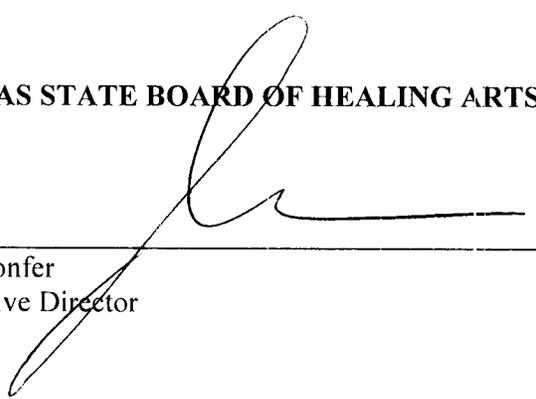
**IT IS FURTHER ORDERED** that you shall submit proof that you have met your continuing education requirements for the previous year to the Board within fifteen days.

**PLEASE TAKE NOTICE** that this is a summary order. A party to whom a summary order is issued may file a written request for a hearing within 15 days following service of the summary order. If a hearing is not requested, the summary order shall become effective as a

final order of the Board upon expiration of the time for requesting a hearing. A request for a hearing must be addressed to Jack Confer, Executive Director, 235 South Topeka Boulevard, Topeka, Kansas 66603.

DATED this 9<sup>th</sup> day of February, 2009.

**KANSAS STATE BOARD OF HEALING ARTS**



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Jack Confer  
Executive Director

**CERTIFICATE OF SERVICE**

I, do hereby certify that on the 9<sup>th</sup> day of February, 2009, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

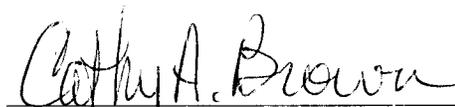
Brett Schlifka, DO  
146 DEER PARK ROAD  
DALLAS, PA 18612

and a copy hand delivered to the office of:

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Litigation Counsel  
Kansas State Board of Healing Arts  
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\_\_\_\_\_  
Cathy Brown  
Executive Assistant