

**FILED**

JAN 2 2002

KANSAS STATE BOARD OF  
HEALING ARTS

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

**In the Matter of** )  
**DAVID C. SCHLOSSMAN, D.C.** )  
Kansas License No. 01-04344 )  
\_\_\_\_\_ )

**Case No. 02-HA-17**

**PROPOSED DEFAULT ORDER**

NOW ON THIS Eighth Day of December, 2001, comes before the Board a Petition to Revoke, Suspend or Otherwise Limit the License of Respondent David C. Schlossman, D.C. Stacy L. Cook, Litigation Counsel, appears for Petitioner. Respondent does not appear either in person or through counsel.

The Board finds Respondent in default for his failure to attend and participate in the hearing. The allegations of fact as stated in the Petition to Revoke, Suspend or Otherwise Limit License appear as undisputed. Having the agency record before it, consisting of the record of this and prior proceedings involving Respondent, the Board finds, concludes and orders as follows:

1. The Board and Respondent entered into a Stipulation and Agreement and Enforcement Order dated December 12, 2000. That order suspended Respondent's license for a period beginning December 17, 2000, and establishing monitoring requirements for the time period between December 9, 2000 and December 16, 2000. **(Confidential)**

**(Confidential)**

**(Confidential)**

The order also required that Respondent pay a fine in the amount of \$5000 in ten equal monthly installments. Costs were assessed against Respondent.

2. Respondent failed in multiple aspects to comply with the Board's December 12,

2000 order, in violation of K.S.A. 65-2836(k).

3. While his license was suspended, Respondent opened or maintained an office for the practice of the healing arts, and has held himself out to the public as having the authority to practice the healing arts, in violation of K.S.A. 65-2867.

3. The Board concludes that Respondent failed to comply with a lawful rule and regulation of the Board in violation of K.S.A. 65-2836(k), particularly K.A.R. 100-24-2 which requires a licensee to maintain patient records for a minimum of ten years, by abandoning approximately 200 patient records and x-rays at his previous practice location.

4. A proposed default order was filed July 6, 2001, proposing to revoke Respondent's license. Respondent filed a motion to vacate the proposed order, and appeared at the August 18, 2001 Board meeting seeking to set aside the proposed order. Following a hearing on Respondent's motion, the Board issued a final order, finding that Respondent recognizes the wrongfulness of his conduct, and finding that Respondent was attempting to resolve personal difficulties that contributed to his misbehavior. The Final Order required Respondent to comply with the provisions of the prior agreement, and required Respondent to pay a fine of \$5000.

5. Respondent has failed to comply **(Confidential)**  
**(Confidential)**

6. Respondent has failed to pay the costs of the prior action and has failed to pay the fine as ordered by the August 2001 Final Order.

7. Respondent has failed comply with the provision of the August 2001 Final Order requiring him to recover and maintain patient records that were previously abandoned.

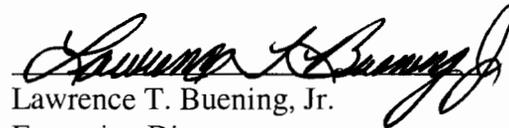
8. The Board concludes that Respondent's license may be revoked as provided by K.S.A. 2001 Supp. 65-2836(k), which provides that a license to practice the healing arts may be revoked, suspended, limited, or otherwise disciplined upon a finding that a licensee has violated a lawful Board order.

**IT IS, THEREFORE, ORDERED** that the license of David C. Schlossman, D.C. is revoked.

**PLEASE TAKE NOTICE** that this is a proposed default order. A party against whom a proposed default or is issued may file a motion to vacate the order. A motion to vacate the proposed default order must be filed with the Executive Director, 235 S. Topeka Blvd., Topeka, KS 66603. Any such motion is not timely unless filed within 7 days following service of the proposed default order. If no timely motion to vacate the proposed default order is received, the proposed order becomes the Board's Final Order without further proceedings or notice.

**DATED THIS** 2<sup>d</sup> **Day of January, 2002.**

Kansas State Board of Healing Arts

  
Lawrence T. Buening, Jr.  
Executive Director

**Certificate of Service**

I certify that a true copy of the foregoing Proposed Default Order was served this <sup>2<sup>d</sup></sup> day of January, 2002 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

David C. Schlossman, D.C.  
9542 Nall Avenue  
Overland Park, KS 66207

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

Stacy L. Cook  
235 S. Topeka Blvd.  
Topeka, KS 66603

A handwritten signature in cursive script, appearing to read "Lawrence L. Bump", written over a horizontal line.