

FILED

CAB

SEP 16 2008

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

KANSAS State Board of Healing Arts

IN THE MATTER OF)
DANIEL SCHOWENGERDT, M.D.)
)
KANSAS LICENSE APPLICANT)
_____)

DOCKET NO.: 08-HA00211

FINAL ORDER

NOW this August 16, 2008 the above captioned matter comes before the Kansas State Board of Healing Arts (Board) on the Licensee's Request for a Hearing on the Board's May 27, 2008 Summary Order. Dan Riley, Associate Litigation Counsel appears on behalf of staff. The Licensee, Daniel Schowenderdt, M.D., is represented by counsel, P. Jay Skolaut and Gregory S. Young, who do not appear.

WHEREUPON, the Board having the agency record before it, after hearing the statements of counsel and being duly informed of the premises finds and concludes as follows:

1. There are no issues of fact.
2. Board Disciplinary Counsel Shelly Wakeman and Board Investigator Steve French requested information regarding answers to licensee's application for license renewal.
3. The licensee failed to respond to numerous requests for information from Board Disciplinary Counsel Shelly Wakeman and Board Investigator Steve French.
4. The board issued a Summary Order dated May 27, 2008 which finds the licensee in violation of K.S.A. 65-2836(r) for failing "to furnish the

board, or its investigators or representatives, any information legally required by the board.”

5. The May 27, 2008 Summary Order called for the licensee to be publically censured; issued a fine in the amount of \$1,000; and have his license to practice surgery and medicine in the State of Kansas SUSPENDED until further action of the board.
6. The licensee, through his attorney, provided the board the information it requested on August 8, 2008.

WHEREFORE, the May 27, 2008 Summary Order of the Board is AFFIRMED IN PART and DENIED IN PART.

IT IS, THEREFORE, ORDERED by the Board that Daniel Schowenderdt, M.D. is hereby:

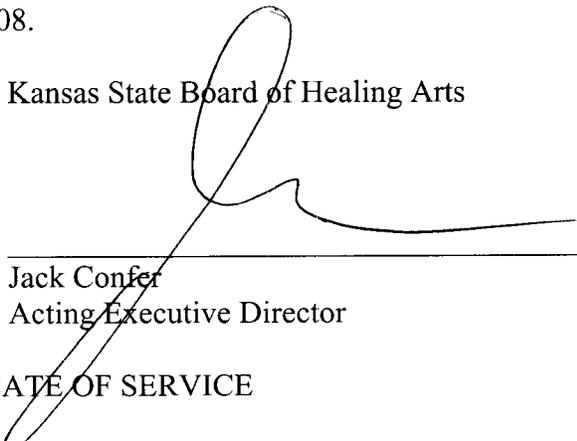
A. Subject to PUBLIC CENSURE for his violation of K.S.A. 65-2836 (r) for failing to cooperate with Board staff; and

B. Fined in the amount of \$1,000 which shall be due on the 15th day of the month following the date this FINAL ORDER becomes final.

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 for 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 the Board's Executive Director at 235 SW Topeka Blvd., Topeka, KS 66603.

Dated this 10th day of September, 2008.

Kansas State Board of Healing Arts



Jack Confer
Acting Executive Director

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing Final Order was served this 10th day of September, 2008, by depositing the same in the United States Mail, first class postage prepaid, and addressed to:

P. Jay Skolat
Gregory S. Young
2000 Epic Center
301 N. Main St.
Wichita, KS 67202

Dan Riley
Kansas Board of Healing Arts
235 SW Topeka Blvd.
Topeka, KS 66603

