

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

KS State Board of Healing Arts

In the Matter of)
CHAD SHARP, M.D.)
Application for Reinstatement of License to)
Practice Medicine and Surgery)
License No. 04-24831)
_____)

KSBHA Docket No. 17-HA00051

FINAL ORDER GRANTING INACTIVE LICENSE

NOW on this 9th day of June 2017, comes on for conference hearing before the Kansas State Board of Healing Arts ("Board") the Application for Reinstatement filed by Chad Sharp, M.D. ("Applicant") for reinstatement of his license to practice medicine and surgery in the State of Kansas. Anne Barker Hall, Associate Litigation Counsel, appears on behalf of the Petitioner Board. Licensee appears in person and *pro se*.

Pursuant to the authority granted to the Board by the Kansas Healing Arts Act, 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. After reviewing the agency record, hearing the statements and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions, and order:

1. Dr. Sharp was originally licensed to practice medicine and surgery in the State of Kansas on October 9, 1993. He surrendered his license on February 5, 2009.
2. On or about February 25, 2016, Dr. Sharp submitted an application for reinstatement of his Kansas medical license. Such application was deemed complete and filed with the Board on April 19, 2017.

3. On or about May 10, 2017, Associate Litigation Counsel (“Respondent”) filed A Response in Opposition to Application for Reinstatement (“Response”) to Dr. Sharp’s application. The Response detailed Dr. Sharp’s history with the Board including; 1) Dr. Sharp signed a Consent Order in 2000 agreeing to be monitored for at least five (5) years [REDACTED]

[REDACTED] 2) [REDACTED]

[REDACTED] Dr. Sharp signed another Consent Order in 2006 agreeing to be monitored for five (5) years and, 3) Dr. Sharp then surrendered his license in February 2009 due to prescribing and administering medication to his wife in violation of a Board Order, being terminated by his employer due to his treatment of his wife without documentation and allegations of having three (3) patient cases that fell below the standard of care constituting ordinary negligence.

4. On or about July 21, 2011, Dr. Sharp submitted an application for reinstatement of an inactive license to practice medicine and surgery in the State of Kansas. The Board denied his reinstatement, [REDACTED]

[REDACTED]

5. On or about January 12, 2012, Dr. Sharp filed a Petition for Reconsideration. The Board denied his Petition, finding that he had failed to provide clear and convincing evidence that he was sufficiently rehabilitated and that there was no evidence showing Dr. Sharp’s ability to practice medicine and surgery with reasonable skill and safety.

6. On or about April 19, 2017, Dr. Sharp again applied for reinstatement of his Kansas Medical license. During the process of applying for reinstatement, Dr. Sharp was referred to CPEP because he had not been in active practice since 2009.

7. [REDACTED]

[REDACTED]

[REDACTED]

8. Dr. Sharp testified that if his application for reinstatement was approved, he would follow CPEP's recommendations and look for a residency program in addictionology.

9. Dr. Sharp stated that if he is unable to find a residency program, he would like to find a group practice in a limited setting with supervision.

10. [REDACTED]

[REDACTED]

[REDACTED]

11. [REDACTED]

[REDACTED]

[REDACTED]

12. The Board concludes that Dr. Sharp has met the *Vakas* factors by clear and convincing evidence to show that he has been rehabilitated to the extent that reinstatement of an inactive Kansas license would be appropriate.

13. Dr. Sharp may not change the status of his inactive license to active, exempt, or any status that would allow him to practice in any setting or in any manner without appearing before the Board and providing evidence that a status change is appropriate.

14. The Board concludes that Dr. Sharp is not able to practice with reasonable skill and safety to protect the public without detailed information and evidence of a structured practice setting such as a residency program or practice group who can comply with conditions set forth and described in the CPEP report or an equivalent structure, education, and monitoring practice setting.

15. The Board concludes that they would consider an application for status change of Dr. Sharp's inactive license if Dr. Sharp provides proof that he has been accepted into a residency program and the date the residency will start. If the Board approves a change in license status for participation in a residency program, the license would not be valid outside the parameters of the residency program, unless specifically approved by the Board in advance.

16. Further, the Board concludes that if Dr. Sharp were to find a practice group that would accept him in the manner recommended by CPEP, and includes detailed information on the nature and extent of the monitoring, education, and documentation described in the CPEP report, the Board would consider an application for status change. If the Board concludes such practice group appropriate, Dr. Sharp would be limited in his scope of practice and not able to practice outside the specific parameters of the practice group setting and monitoring which was approved by the Board.

17. [REDACTED]

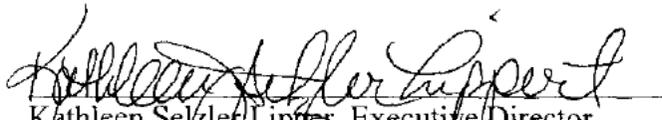
██████████ would be considered a violation of a Board Order and grounds for discipline as well as subject him to all statutory consequences for violation of a Board Order.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Applicant is hereby GRANTED an INACTIVE license to practice medicine and surgery in the State of Kansas.

IT IS FURTHER ORDERED that the Board shall maintain jurisdiction over this matter to issue further order(s) deemed necessary and appropriate in the circumstances.

IT IS SO ORDERED THIS 7 DAY OF JULY, 2017, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.

KANSAS STATE BOARD OF HEALING ARTS


Kathleen Selzler 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, and service of a Final Order is complete upon mailing. Pursuant to K.S.A. 77-529, Licensee may petition the Board for Reconsideration of a Final Order within fifteen (15) days following service of the final order. Additionally, 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 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, Executive Director, at 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing **FINAL ORDER GRANTING INACTIVE LICENSE** was served on this 7th day of July, 2017, by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Chad Sharp, MD
[REDACTED]
Wichita, KS 67206

And a copy was delivered to:

Anne Barker Hall, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

John Nichols, Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

And the original was filed with the office of the Executive Director.



Cathy Brown, Executive Assistant