

**EFFECTIVE AS A FINAL ORDER**

**DATE:** 3/22/19

-FILED-

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

**FEB 28 2019**

KS State Board of Healing Arts

**In the Matter of**

**MICHAEL N. SHAW, PA  
Kansas License No. 15-00115**

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**KSBHA Docket No. 19-HA 00060**

**SUMMARY ORDER**

**NOW ON THIS** 28 day of Feb 2019, this matter comes before

Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A 77-537.

Pursuant to K.S.A 77-542, this Summary Order shall become effective as a Final Order, without further notice, if no written request for hearing is made within 15 days of service. Upon review of 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:

**Findings of Fact**

1. Licensee is entitled to engage in the practice of physician assistant in the state of Kansas, having been issued License No. 15-00115 on or about June 20, 1979.
2. Licensee's license status is currently Active.
3. Licensee's mailing address is 10111 E. 21<sup>st</sup> St. N, Suite 315, Wichita, Kansas, 67206.
4. From approximately 2013 to 2015, Licensee was the sole owner of Age Reversal Technologies ("ART"), a Kansas limited liability company.
5. From approximately 2013 to 2015, ART provided medical services, to include preventative medicine, aesthetic services, and medical weight loss.

6. From approximately 2013 to 2015, Licensee's supervising physician was also ART's employee.

7. As of approximately 2015, ART no longer provided medical services and Licensee's supervising physician was not ART's employee.

#### **Applicable Law**

8. K.S.A. 65-28a13(a) provides: "The state board of healing arts shall adopt rules and regulations to limit the percentage of ownership when a licensed physician assistant forms a professional corporation pursuant to K.S.A. 17-2706 et seq., and amendments thereto, in combination with other professional services"

9. K.A.R. 100-28a-18(a) provides: "Licensed physician assistants shall not hold more than 49 percent of the total number of shares issued by a professional corporation that is organized to render the professional services of a physician, surgeon or doctor of medicine, or osteopathic physician or surgeon."

10. K.A.R. 100-28a18(b) provides: "Licensed physician assistants shall not contribute more than 49 percent of the total amount of capital to a professional liability company that is organized to render the professional services of a physician, surgeon or doctor of medicine, or osteopathic physician or surgeon."

#### **Conclusions of Law**

11. The Board has jurisdiction over Licensee as well as the subject matter of this proceeding and such proceeding is held in the public interest.

12. The use of summary proceedings in this matter is in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings does not violate any

provision of law and the protection of the public interest does not require the Board to give notice and opportunity to participate to persons other than Licensee.

13. The Board finds Licensee violated K.A.R. 100-28a-18(a) and K.A.R. 100-28a-18(b), when, from approximately 2013 to 2015, Licensee solely owned ART, a business entity that rendered the professional services of a physician.

**IT IS ORDERED** that Licensee is **PUBLICLY CENSURED**.

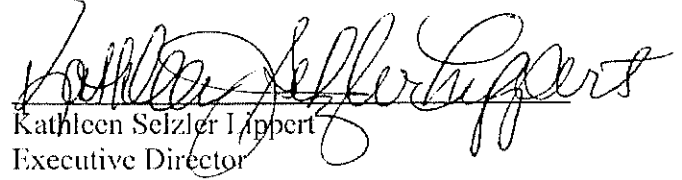
**IT IS FURTHER ORDERED** that Licensee must attend and successfully complete CPEP's PROBE: Ethics & Boundaries Program, on or before June 15, 2019, unless otherwise approved by the Board. Licensee shall provide proof of successful completion of the program within 30 days of completing the program. All costs associated with such program shall be at Licensee's own expense and include, but are not limited to, the cost of the program, the cost of travel to and from the courses, and the cost of accommodations while attending the program. These hours shall be in addition to those continuing education hours required for renewal of licensure. Proof of successful completion of the program requirements shall be submitted by sending the same to:

Kansas Board of Healing Arts  
Attn: Compliance Coordinator  
800 SW Jackson, Lower Level - Suite A  
Topeka, Kansas 66612  
KSBHA\_compliancecoordinator@ks.gov

**PLEASE TAKE NOTICE** that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

**IT IS SO ORDERED** on this 28 day of Feb, 2019.

FOR THE KANSAS STATE BOARD OF  
HEALING ARTS:

  
Kathleen Seizler Lippert  
Executive Director

2/28/19  
Date

**FINAL ORDER NOTICE OF RIGHTS**

**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 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, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true copy of the foregoing **FINAL ORDER** was served this March day of 22<sup>nd</sup>, 2019 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Michael Shaw, PA  
10111 E. 21<sup>st</sup> St. N  
Suite 315  
Wichita, KS 67206

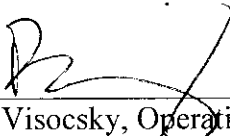
And a copy was hand-delivered to:

Jared T. Langford, Associate Litigation Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

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

Office of the General Counsel  
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.

  
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Beth Visocsky, Operations Manager