

**EFFECTIVE AS A
FINAL ORDER**

DATE: 8/20/13

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

FILED
JUL 31 2013
CAS

KS State Board of Healing Arts

In the Matter of)
KIM SHERIDAN, M.D.)
)
Kansas License No. 04-22283)
_____)

Docket No. ¹⁴~~13~~-HA 00015

**SUMMARY ORDER
FOR INDEFINITE SUSPENSION**

NOW ON THIS 31 day of July, 2013, 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. This Summary Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for hearing is made, pursuant to K.S.A 77-537(a)(4), (b)(2), and (b)(3).

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. Kim Sheridan, M.D. ("Licensee") was originally issued license number 04-22283 to practice medicine and surgery in the State of Kansas on or about June 17, 1988. Licensee's current license designation is inactive, and such license was last renewed on or about June 30, 2012.
2. Licensee's Board registered mailing address is 4051 Barrancas Avenue, Suite G153, Pensacola, Florida 32507.

3. On or about August 10, 2012, the Medical Board of California issued a Decision in the matter of Kim Markl Sheridan, M.D. (Exhibit 1, Medical Board of California Decision dated August 10, 2012).
4. The August 10, 2012, decision issued by the Medical Board of California was based on clear and convincing evidence that in his care of a patient, Licensee engaged in an extreme departure from the standard of care by failing to recognize an unsuccessful labor progress, failing to recognize fetal distress, and delaying the performance of a C-Section in the presence of fetal distress.
5. Further, the August 10, 2012, decision issued by the Medical Board of California was based on clear and convincing evidence that in his care of a second patient, Licensee engaged in repeated acts of negligence by failing to properly document his care and treatment, specifically regarding the application of trial forceps prior to delivery and further engaged in unprofessional conduct by failing to maintain adequate records concerning this patient.
6. Finally, the August 10, 2012, decision issued by the Medical Board of California took sanctions against Licensee's State of California medical license in the form of his license being revoked; however, the revocation was stayed and Licensee was placed on probation for four (4) years.
7. On or about January 9, 2013, the State Medical Board of Ohio issued a Findings, Order and Journal Entry that was based upon the action taken by the Medical Board of California. Based upon the action in the State of California, the State Medical Board of Ohio took sanctions against Licensee's State of Ohio medical license in the form of revocation. (Exhibit 2, State Medical Board of Ohio Findings, Order, and Journal Entry dated December 21, 2012).

8. On or about April 4, 2013, Licensee entered into a Public Consent Order that constituted disciplinary action with the Georgia Composite Medical Board that included sanctions against his State of Georgia medical license in the form of a Public Reprimand and a complete restriction from practicing medicine in the State of Georgia. This action was based upon the disciplinary action that was taken by the Medical Board of California against Licensee's State of California medical license. (Exhibit 3, Georgia Composite Medical Board Public Consent Order dated April 4, 2013).

Applicable Law

9. K.S.A. 65-2836 states in pertinent part:

A licensee's license may be revoked, suspended or limited, or the licensee may be publicly or privately censured or placed under probationary conditions...upon a finding of the existence of any of the following grounds:

(j) The licensee has had a license to practice the healing arts revoked, suspended or limited, has been censured or has had other disciplinary action taken, or an application for a license denied, by the proper licensing authority of another state, territory, District of Columbia, or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(s) Sanction or disciplinary actions have been taken against the licensee by a peer review committee, health care facility, a governmental agency or department or professional association or society for acts or conduct similar to acts or conduct which would constitute grounds for disciplinary actions under this section.

Conclusions of Law

10. The Board has jurisdiction over Licensee pursuant to K.S.A. 65-2836, as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

11. The Board finds Licensee violated K.S.A. 65-2836(j), by having disciplinary action taken by the proper licensing authority of another state: To wit; having his State of California medical license revoked; with the revocation being stayed with Licensee's State of California medical

license being placed upon probation for four (4) years. Additionally, having his State of Ohio medical license revoked, having his Georgia medical license restricted, and receiving a public reprimand from the Georgia Composite Medical Board.

12. The Board finds that Licensee violated K.S.A. 65-2836(s) by having sanctions and/or disciplinary action taken against Licensee by the State of California and the State of Ohio for acts or conduct similar to acts or conduct which would constitute grounds for disciplinary actions under the Healing Arts Act: To wit; having his State of California medical license revoked; with the revocation being stayed with Licensee's State of California medical license being placed upon probation for four (4) years. Additionally, having his State of Ohio medical license revoked, having his Georgia medical license restricted, and receiving a public reprimand from the Georgia Composite Medical Board.

13. Based on the facts and circumstances set forth herein, it appears that the use of summary proceedings in this matter is appropriate, 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 the 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, Kim Sheridan.

IT IS, THEREFORE, ORDERED that Licensee's license is hereby **INDEFINITELY SUSPENDED** for violations of the Kansas Healing Arts Act, pursuant to K.S.A. 65-2836, for the above referenced violations of the Kansas Healing Art Act.

NOTICE AND OPPORTUNITY FOR HEARING

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 pursuant to K.S.A. 77-542 within 15 days following service of the Summary Order. Such written request shall also state the legal and/or

factual basis upon which the party opposes this 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 written request for hearing must be addressed and mailed to Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson Lower Level, Ste A, Topeka, KS 66612.

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.

Dated this 31st day of July, 2013.

Kansas State Board of Healing Arts


Kathleen Selzler Lippert
Executive Director

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 INDEFINITELY SUSPENDING LICENSE** was served this 20th day of August, 2013 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Kim Sheridan, M.D.
4051 Barrancas Avenue, Suite G153
Pensacola, FL 32507

And a copy was hand-delivered to:

Reese Hays, Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

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

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

Kelli Stevens, 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.


