

BEFORE THE KANSAS STATE BOARD OF HEALING ARTS

IN THE MATTER OF:

Kansas State Board of Healing Arts)  
vs. ) Case No. 83-246  
Earl C. Sifers, M.D. )

ORDER OF LIMITATION


NOW on this 3 day of January, 1986, this matter comes before the Board for hearing. The Licensee appears by and through his counsel, Mark Bennett, Jr. The Board appears by and through its counsel, Donald G. Strole.

After a review of the file in this matter and being duly advised in premises the Board makes the following findings:

The Board and the Licensee have entered into a Stipulation which prohibits the Licensee from performing any major surgery under regional or general anesthetic and prohibits the Licensee from assisting in or performing any procedures related to the breasts, including biopsies of the breasts, a copy of which is attached hereto;

It is Ordered, Adjudged and Decreed that the Licensee shall abide by all terms of the Stipulation attached hereto.

IT IS SO ORDERED.

  
Richard A. Uhlig, D.O.  
Secretary

Donald G. Strole, General Counsel  
Kansas State Board of Healing Arts  
503 Kansas Avenue, Suite 500  
Topeka, KS 66603  
913-296-7413

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STIPULATION

KANSAS BOARD OF HEALING ARTS

THIS STIPULATION, made and entered into this 3<sup>d</sup> day of ~~December~~ <sup>JANUARY</sup>, 198~~6~~, by and between the Kansas State Board of Healing Arts, hereinafter referred to as "Board" and Earl Churchhill Sifers, M.D., 155 S. 18th Street, Kansas City, Kansas 66102, hereinafter referred to as "Licensee".

The parties stipulate to the following facts:

A. Licensee is licensed to practice medicine and surgery in the State of Kansas and is the holder of Certificate No. 9425 and;

2. It is claimed that licensee has committed acts which allegedly may constitute one or more violations of the Kansas Healing Arts Act for which formal adjudicative proceedings under the Kansas Administrative Procedures Act may be initiated to revoke, suspend, or limit the license of licensee to practice medicine and surgery within the State of Kansas, specifically that licensee was found liable for acts of ordinary negligence (confidential)

all of which may constitute a violation of K.S.A. 65-2836(b) and 65-2837(a).

NOW, THEREFORE, the parties agree as follows:

1. That the licensee shall refrain from performing or assisting in the performance of any type of surgery, in any institution, facility, or office, except the specific procedures authorized by that institution or facility at which he is on the staff and will not do any procedures in any other facility or office other than these specific procedures (see privileges authorized by Bethany Hospital). If licensee applies for any different or more encompassing privileges, notice shall be given to the Board as soon as possible after making such applications.

2. That the Board's investigator or other designee of the Board shall monitor licensee's practice within the Board's discretion with licensee cooperating with any reasonable request made to ensure licensee is in strict compliance with the terms of this Stipulation.

3. In the event that a significant number of present pending malpractice suits conclude with findings of negligence against the licensee,

the Board may reevaluate the terms of this Stipulation, and if it deems it necessary, commence appropriate proceedings against the licensee; in the alternative, if a significant number of the present pending malpractice suits conclude with findings that the licensee committed no acts of negligence, the licensee may at that time petition the Board to have this Stipulation considered null and void and full rights to practice restored to the licensee.

4. It is understood and agreed that the provisions of this Stipulation are to be strictly construed and adhered to. In the event licensee violates any of the conditions stated herein, such violation shall be considered prima facie evidence of a violation of the Kansas Healing Arts Act.

5. This Stipulation constitutes the entire agreement between the parties and there are no other agreements or understandings not set forth herein. This Stipulation may be modified or amended only by a written instrument signed by the parties hereto.

6. This Stipulation shall remain in full force and effect until modified, amended or rescinded by the parties hereto; PROVIDED, HOWEVER, should licensee strictly adhere to the terms and provisions contained herein and be able to demonstrate sufficient competency in surgery, licensee may, upon expiration of two years from the date hereof, request an appearance before the Board to discuss modification, amendment, or rescission of this Stipulation and the Board will give this request due consideration.

IN WITNESS WHEREOF, the parties hereto have executed this Stipulation on the date indicated below their signatures.

KANSAS STATE BOARD OF HEALING ARTS

By Richard A. Wilby, M.D.  
Date: 1-3-86

Earl C. Sifers, M.D.  
EARL CHURCHILL SIFERS, M.D.  
Date: 12-23-85

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