

FILED

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

APR 22 2004

**KANSAS STATE BOARD OF
HEALING ARTS**

Docket No. 02-HA-56

In the Matter of)
)
Michael Reed Simmons, M.D.)
Kansas License No. 04-24193)
_____)

FINAL ORDER

NOW ON THIS Seventeenth Day of April 2004, this matter comes on for a hearing upon the motion of Respondent Michael Reed Simmons to terminate the disciplinary limitations imposed by the June 4, 2002 Consent Order. Respondent appears in person and through J. Gordon Gregory, Attorney at Law. Stacy L. Cook, Litigation Counsel, appears for the Board in opposition to the motion.

Having the agency record before it, the Board finds, concludes and orders as follows:

1. The Board and Respondent entered into an agreed-upon order dated June 4, 2002, in which, among other disciplinary orders, Respondent's license was limited. The limitations required Respondent to have a female chaperone present for all examinations of female patients, (Confidential)

2. Respondent's conduct that resulted in the limitation included his sexual relations with multiple patients, including an office nurse.

3. Respondent has the burden to prove by clear and convincing evidence that he is sufficiently rehabilitated to warrant the public trust and that the limitations should be removed.

4. (Confidential)

(Confidential)

Specifically, Respondent notified the program that he was going to

move to Missouri. (Confidential)
(Confidential)

5. Respondent did not offer expert testimony to establish that he is rehabilitated.
(Confidential)

6. (Confidential)
(Confidential)


7. The Board finds that Respondent has not met his burden of showing good cause to terminate the limitations on his license.

IT IS, THEREFORE, ORDERED THAT the Motion by Michael Reed Simmons, M.D. for termination of the limitations on his license is denied..

PLEASE TAKE NOTICE that this Final Order is effective upon service. A party may seek judicial review of a Final Order by filing a petition in the District Court as authorized by K.S.A. 77-610, et seq. Reconsideration of the 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 the Board's executive director at 235 S. Topeka Blvd., Topeka, KS 66603.

Dated this 22^d Day of April 2004.

Kansas State Board of Healing Arts


Lawrence T. Buening, Jr.
Executive Director

Certificate of Service

I certify that the foregoing Final Order was served this 22^d day of April 2004 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Michael Reed Simmons, M.D.
359 W. 600 Ave.
Girard, KS 66743

J. Gordon Gregory
506 North Pine Street
P.O. Box V
Pittsburg, KS 66762

and a copy was hand-delivered to:

Stacy L. Cook
Litigation Counsel
235 S. Topeka Blvd.
Topeka, Kansas 66603

