

FILED CAB

AUG 29 2012

KS State Board of Healing Arts

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

In the Matter of)
CHRISTIANE M. SMITH, M.D.)
)
Kansas License No. 04-35845)
_____)

KSBHA Docket No. 12-HA00070

FINAL ORDER TERMINATING LIMITATION

NOW, on this 17th day of August 2012, comes before the Kansas State Board of Healing Arts (“Board”) the request of Christiane M. Smith, M.D. (“Licensee”) for termination of the limitation on her medical license which requires her to enter into and comply with the Center for Personalized Education for Physicians’ (“CPEP”) Reentry Plan provision in the Consent Order previously entered in this matter. Licensee appears in person and *pro se*. Stacy R. Bond, Associate Litigation Counsel, appears on behalf of the Petitioner Board.

Pursuant to the authority granted to the Board by the Kansas Healing Arts Act, K.S.A. 65-2901, *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 following a conference hearing in the above-captioned matter. After reviewing the file, hearing the testimony and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. Christiane M. Smith, M.D. (“Licensee”) is licensed to practice medicine and surgery in the State of Kansas, having been issued License No. 04-35845 on approximately July 29, 2010.
2. On or about April 10, 2012, Licensee entered into a Consent Order with the Board as a condition to licensure, based upon concerns regarding Licensee’s extended absence from the active practice of medicine and surgery.

3. Under the terms of the Consent Order, Licensee agreed to a limitation on her license which required her to enter into and comply with a Reentry Plan with CPEP.

4. The terms of the Consent Order allow Licensee to request the Board for termination of the provisions of the Consent Order upon successful completion.

5. On July 16, 2012, Licensee submitted a request to terminate the requirement that she participate in the CPEP Reentry Program.


6. On or about July 17, 2012, CPEP provided the Board with a summary report of Licensee's participation in the Reentry Plan from April 16, 2012 through July 13, 2012.

7. On July 18, 2012, the Respondent Board filed a Response to Licensee's Request in support of termination.

8. The Board finds that Licensee has demonstrated compliance and has satisfactorily demonstrated clinical competency such that the limitation on her license should be terminated such that Licensee has no further obligation for compliance.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS, that the LIMITATION on Licensee's license and all requirements for compliance are hereby terminated.

IT IS SO ORDERED THIS 28th DAY OF AUGUST, 2012, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


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, the Board's Executive Director, at 800 SW Jackson, Lower Level-Suite A, Topeka, Kansas 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing **FINAL ORDER TERMINATING LIMITATION** was served this 29th day of August, 2012 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Christiane M. Smith, M.D.
CONFIDENTIAL
Wichita, KS 67230

And a copy was hand-delivered to:

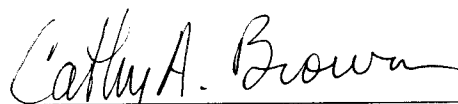
Stacy Bond, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

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

Melissa Massey, Compliance Coordinator
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:

Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612



Cathy Brown, Executive Assistant