

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED

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JUN 20 2006

In the Matter of)
David E. Sternberg, M.D.,)
License No. 04-22290 (rev))
Application for Reinstatement)

KS State Board of Healing Arts

Docket No. 06-HA-00101

**AGREED JOURNAL ENTRY AND FINAL ORDER GRANTING
REINSTATEMENT OF LICENSE TO INACTIVE STATUS**

This matter comes before the Kansas State Board of Healing Arts (Board) upon application of David E. Sternberg, M.D. ("Applicant") for reinstatement of his Kansas license to practice medicine and surgery to inactive status. The Board appears by and through Kelli J. Stevens, Litigation Counsel. Applicant appears *pro se*. There are no other appearances.

Applicant's Kansas license was previously revoked in a Final Order dated June 22, 1998. The revocation was based on Applicant's federal felony convictions in November of 1997. Specifically, Applicant was convicted of thirteen (13) counts of mail fraud, one (1) count of interstate transport in aid of racketeering, and twenty (20) counts of money laundering. The convictions were for acts which took place within Applicant's practice of medicine.

Applicant was sentenced to three (3) years of incarceration, three (3) years of supervised release and ordered to pay \$926,940.43 in restitution. Applicant was released from prison in July of 2001, and completed his period of supervised release in January of 2005. As of March of 2006, Applicant owed \$704,010.23 of the restitution amount.

Applicant previously applied for reinstatement of his Kansas license in 2002. That application was denied by the Board in a Final Order that was filed on April 29, 2003. The denial was based on the Board's finding that Applicant failed to show by clear and convincing evidence that he was sufficiently rehabilitated to warrant the public trust and did not pose a threat to the public health, safety and welfare, pursuant to K.S.A. 65-2836(c). In the Final Order, the Board set forth that after Applicant completed his period of supervised release and upon Applicant's passage of the Federation of State Medical Boards Special Purpose Examination ("SPEX"), the Board might reconsider granting reinstatement with limitations.

Applicant's present application for reinstatement seeks an inactive license as Applicant intends to practice in another state. Applicant passed the SPEX in June of 2003, with a score of eighty-seven (87). As stated above, Applicant completed his period of supervised release in January of 2005. Applicant was granted reinstatement of his license in Missouri on July 31, 2003. Such licensure was subject to a five (5) year period of probation, which was terminated on May 6, 2005. Applicant has continually practiced in that state since his Missouri license was reinstated.

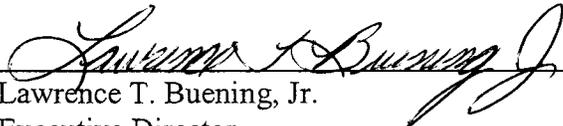
Therefore, it is the finding of the Board pursuant to K.S.A. 65-2836(c), by a two-thirds majority vote of the Board members present and voting on such application, that based upon the evidence before it, Applicant has shown by clear and convincing evidence that he is sufficiently rehabilitated to warrant the public trust and does not pose a threat to the public health, safety and welfare to be granted an inactive license.

Therefore, it is the decision of the Board that Applicant should be granted an inactive license to engage in the practice of medicine and surgery in the State of Kansas under the authority of the Kansas Healing Arts Act as administered by the Kansas Board of Healing Arts. The Board further finds that the inactive status of such license is not considered to be a limitation. However, should Applicant apply to change the status of his inactive license, the Board may consider whether any limitations and/or monitoring provisions may be appropriate under the circumstances at that time.

WHEREFORE, Applicant, is hereby granted an inactive license to engage in the practice of medicine and surgery in the State of Kansas by the Kansas Board of Healing Arts based upon the findings of fact and conclusions of law otherwise detailed above.

IT IS SO ORDERED this 20th day of June, 2006.

KANSAS STATE BOARD OF HEALING ARTS


Lawrence T. Buening, Jr.
Executive Director

PREPARED AND APPROVED BY:

Kelli G. Stevens

Kelli Stevens, #16032
Litigation Counsel
Kansas State Board of Healing Arts
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Topeka Kansas 66603
Telephone: (785) 296-7413

APPROVED BY:

David E. Sternberg

David E. Sternberg, M.D.
Applicant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing pleading was served this 21st day of June, 2006, upon:

David E. Sternberg, M.D.
4201 West 110th Street
Leawood, Kansas 66211

And a copy was hand-delivered to:

Kelli J. Stevens
Litigation Counsel
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603

And the original was hand-delivered for filing to:

Lawrence T. Buening, Jr.
Office of the Executive Director
Kansas State Board of Healing Arts
235 S Topeka Boulevard
Topeka, Kansas 66603

And a courtesy copy was hand-delivered to:

Charlene K. Abbott
Licensing Administrator
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603

A handwritten signature in black ink, appearing to read "David E. Sternberg, M.D.", is written over a horizontal line.