

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

F I L E D

DEC 30 1999

In the Matter of)
)
SEAN K. STEVENS, D.C.)
Kansas License No. 01-4436)
_____)

No. 00-HA-16

KANSAS STATE BOARD OF
HEALING ARTS

FINAL ORDER

NOW on this the 16th day of December, 1999, comes on for hearing the implementation of a Default Order. The Petitioner, Board of Healing Arts, appears by and through Stacy L. Cook. The Licensee, Sean K. Stevens, D.C. does not appear, and there are no other appearances.

WHEREUPON, after reviewing the administrative file and being otherwise duly and fully advised on the premises finds:

1. Licensee, Sean K. Stevens, license #1-04436 with the Board of Healing Arts, was reinstated on November 17, 1998; and the Board of Healing Arts petition to Revoke, Suspend or Otherwise Limit the License of Dr. Stevens was filed on September 29, 1999. However, on November 2, 1999, the Board of Healing Arts cancelled Licensee's license for non-renewal.

2. The Board of Healing Arts has jurisdiction over this matter under K.S.A. 65-2838(a) and the rule of continuing jurisdiction. Although Licensee's license was cancelled for non-renewal on November 2, 1999, Licensee's license was valid and in effect when the Board's Petition to Revoke was filed on September 29, 1999. Therefore, under the rule of "continuing jurisdiction" the cancellation of Licensee's

license during the pendency of these disciplinary proceedings does not divest the Board of Healing Arts of jurisdiction over licensee.

3. A pre-hearing was held on November 16, 1999, and Licensee, Sean K. Stevens, did not appear, but shortly after the pre-hearing, counsel for the Board of Healing Arts, Stacey L. Cook, received a telephone call from Bob Christianson, an attorney, who inquired about the pending proceedings against Dr. Stevens. Ms. Cook told Mr. Christianson a pre-hearing was held on November 16, 1999, and a Default Order was being sent out. Ms. Cook also told Mr. Christianson a final hearing on the Default Order was scheduled for December 16, 1999.

4. Subsequent to Ms. Cook's conversation with Mr. Christianson, a Notice of Hearing and Default Order was mailed to Ms. Cook and Dr. Stevens, and subsequent thereto, no request was made or filed by Dr. Stevens requesting the Default Order be vacated or otherwise modified.

5. Since the Licensee, Sean K. Stevens, D.C. has failed to respond to the Board of Healing Arts Petition to Revoke, Suspend or Otherwise Limit License or First Amended Petition to Revoke, Suspend or Otherwise Limit or Default Order, the Default Order should be and shall now become effective pursuant to K.S.A. 75-520, and Kansas Board of Healing Arts License #1-04436 of Sean K. Stevens, D.C. should be and is hereby revoked.

6. The Board of Healing Arts requests to present additional evidence, and they do so with the testimony of Barber County Deputy Sheriff, Terry L. Winter, who offers testimony and identifies exhibits which further support the Findings of Fact and

Conclusions of Law set forth in the Default Order, all of which are incorporated herein by this reference.

7. The testimony, exhibits and rulings made at the hearing are incorporated herein by this reference and a transcript of the hearing is also incorporated herein.

8. The Licensee, Sean K. Stevens, should be and is hereby assessed, pursuant to K.S.A. 65-2863(a) administrative fines of \$250.00 for each of his violations of the Kansas Healing Arts Act as set forth in the Default Order, for a total fine of \$1,500.00.

9. The Licensee, Sean K. Stevens, D.C. should be and is hereby assessed the following costs:

(1)	Court Reporter Fees	
	(11/17/99 pre-hearing)	\$ 69.25
	(12/16/99 hearing)	250.00
(2)	Administrative Hearing Officer Fees	1,135.40

IT IS SO ORDERED.


Gregory A. Lee, #09960
Administrative Hearing Officer

FILED

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HEALING ARTS**

In the Matter of)	
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SEAN K. STEVENS, D.C.)	No. 00-HA-16
Kansas License No. 01-4436)	
_____)	

CERTIFICATE OF SERVICE

I certify that a true and correct copies of the Default Order and the Final Order were served this 30th day of December, 1999, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to the following:

Sean K. Stevens, D.C.
P.O. Box 1223
Liberal, Kansas 67905

Sean K. Stevens, D.C.
119 W. Main
Harper, Kansas 67058

Stacy L. Cook
Litigation Counsel
Kansas Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603
(Attorney for Petitioner)

Kansas Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603



Gregory A. Lee